

**CITY OF TAFT PLANNING COMMISSION
REGULAR MEETING AGENDA
WEDNESDAY, JANUARY 20, 2016
CITY HALL COUNCIL CHAMBERS
209 E. KERN ST., TAFT, CA 93268**

AS A COURTESY TO ALL - PLEASE TURN OFF CELL PHONES

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda are made available for public inspection in the lobby at Taft City Hall, 209 E. Kern Street, Taft, CA during normal business hours (SB 343).

REGULAR MEETING

6:00 P.M.

Pledge of Allegiance
Invocation

Roll Call: Chairman Orrin
 Vice Chair Jones
 Commissioner Leikam
 Commissioner Livingston
 Commissioner Thompson

1. CITIZEN REQUESTS/PUBLIC COMMENTS

THIS IS THE TIME AND PLACE FOR THE GENERAL PUBLIC TO ADDRESS THE COMMISSION ON MATTERS WITHIN ITS JURISDICTION. STATE LAW PROHIBITS THE COMMISSION FROM ADDRESSING ANY ISSUE NOT PREVIOUSLY INCLUDED ON THE AGENDA. COMMISSION MAY RECEIVE COMMENT AND SET THE MATTER FOR A SUBSEQUENT MEETING. PLEASE LIMIT COMMENTS TO FIVE MINUTES.

2. MINUTES

December 16, 2015 Regular

Recommendation – Approve as submitted.

3. ZONING ORDINANCE AMENDMENT – GARAGE SALES

Recommendation – This is an information item only, the Planning Commission will act on final draft at a future public hearing.

4. ZONING ORDINANCE AMENDMENT – FENCES AND WALLS

Recommendation – This is an information item only, the Planning Commission will act on final draft at a future public hearing.

5. PLANNING DIRECTOR REPORT

6. CITY ATTORNEY STATEMENTS

7. COMMISSIONER COMMENTS

8. IDENTIFICATION OF REPRESENTATIVE TO THE CITY COUNCIL

ADJOURNMENT

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54943.2)**

The City of Taft City Council Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance (including transportation) to attend or participate in a meeting of the Taft City Planning Commission may request assistance at the Office of the City Clerk, City of Taft, 209 E. Kern Street, Taft, California or by calling (661) 763-1222. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

AFFIDAVIT OF POSTING

I, Brenda Johns, declare as follows:

That I am the Recording Secretary for the City of Taft; that an agenda was posted on a public information bulletin board located near the door of the Civic Center Council Chamber on January 14, 2016, pursuant to 1987 Brown Act Requirements.

I declare under penalty of perjury that the foregoing is true and correct.
Executed January 14, 2016, at Taft, California.

Date/Time _____ Signature _____

**CITY OF TAFT PLANNING COMMISSION
MINUTES
WEDNESDAY, DECEMBER 16, 2015**

REGULAR MEETING

6:00 P.M.

The December 16, 2015 Regular Meeting of the Planning Commission of the City of Taft, held in the City of Taft Council Chamber, 209 E. Kern Street, Taft CA 93268, was opened by Chairman Orrin at [6:03:41 PM](#). The Pledge of Allegiance was led by Vice Chair Jones, followed by an invocation given by Chairman Orrin.

PRESENT: Chairman Ron Orrin, Vice Chair Shannon Jones,
Commissioners, Jerry Livingston and Robert Thompson
Planning and Community Development Director Mark Staples
City Attorney Jason Epperson and Recording Secretary Brenda Johns

ABSENT: Commissioner Bob Leikam

1. CITIZEN REQUESTS/PUBLIC COMMENTS

There were none.

2. MINUTES

December 2, 2015 Special Meeting.

Motion: Moved by Jones seconded by Thompson to approve Minutes as submitted.

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0
ABSENT: Leikam

3. PLANNING COMMISSION 2016 REGULAR MEETING SCHEDULE

Motion: Moved by Jones seconded by Livingston to **ADOPT A RESOLUTION OF THE PLANNING COMMISSION REGULAR SCHEDULE MEETING.**
(Resolution No. 2015-15).

AYES: Orrin, Jones, Livingston, Thompson
PASSED: 4-0
ABSENT: Leikam

4. PLANNING DEPARTMENT/PLANNING COMMISSION WORK PLAN 2016

Director Staples presented his staff report and recommendation.

Orrin asked if the Community Revitalization Authority would receive funding from the State.

Staples stated it would not; rather it would utilize tax increment funding.

Orrin inquired if there would be funding for the modernization of the intersections. He also inquired in regards to the new Americans with Disabilities Act (ADA) standards for sidewalks.

Staples noted at this time the standards for ADA were being reviewed for clarification and would be part of the Commissions 2016 Work Plan along with the following:

- Reinstating a Downtown Specific Plan
- Setting General Design Guidelines
- Reviewing the garage sale and fencing ordinances

Livingston asked if the current Climate Action Plan was a current requirement of the State.

Staples confirmed it was not but having one in place would help with other funding.

Orrin requested to receive a daily log report from Code Enforcement for the Commission to review.

Staples informed Orrin he was currently working with Code Enforcement and Counsel, to confirm a copy of the daily report could be disclosed.

Jones and Livingston concurred a copy of the report would be helpful in clarifying the process Code Enforcement goes through when citing or noticing property owners.

5. PLANNING DIRECTOR REPORT

Staples announced the Housing Element Update 2015-2023 was approved unanimously by City Council and he received a letter from Housing and Community Development (HCD) confirming the document was approved. Staples reported he would be submitting the approved final document to HCD and wished everyone a Merry Christmas and a safe New Year.

6. CITY ATTORNEY STATEMENTS

Counsel wishes everyone a Merry Christmas and a Happy New Year.

7. COMMISSIONER COMMENTS

Jones reported:

- Sixty entries were received for the Taft Christmas Parade.
- Oildorado was a speaker at Sit & Sip; they presented the major sponsors with a shadow box containing an Oildorado 2015 belt buckle along with wooden nickels.
- The Chamber will be closed the next two weeks.

Orrin wishes everyone a Merry Christmas.

8. IDENTIFICATION OF REPRESENTATIVE TO THE CITY COUNCIL

Commissioner Thompson was selected to be the representative to the City Council on January 19, 2016.

ADJOURNMENT

With no further business to conduct it was moved by Jones, seconded by Livingston and approved unanimously, to adjourn the meeting at [7:06:48 PM](#)



City of Taft Planning Commission Staff Report

Agenda Item #3

DATE: January 20, 2016

TO: Chairman Orrin and Members of the Planning Commission

FROM: Mark Staples, Director
Planning and Development Services

SUBJECT: Zoning Ordinance Amendment 2016-01 – Yard or Garage Sales

RECOMMENDATION: This is an informational and discussion item only as a final draft will be presented at a public hearing at a later date.

LOCATION: Citywide

PROJECT ANALYSIS:

At the December 16, 2015, Planning Commission meeting, Commissioners and staff discussed desired projects for the 2016 year. Commissioners and discussed a potential code enforcement issue of residents having an excessive garage or yard sales each year. There is concern that some may be conducting more of commercial business as opposed to selling off their personal gently worn goods and products.

Attached is Chapter 6.1.190 the Definitions section of the Zoning Ordinance regarding a Yard or Garage Sales. For reference, Kern County Zoning Ordinance Section 19.12.130C is attached, which provides garage or yard sales standards for the Agricultural (A) zone district, which is repeated in each zone district that allows residential uses. Also attached are Garage or Yard Sale ordinances from Bakersfield, Shafter, Wasco, and McFarland to provide a full spectrum of Kern County cities. Some cities have their garage or yard sales defined in the zoning ordinance and others in their Business Taxes, License, and Regulations. This proposed amendment for the City of Taft may have regulations in the Zoning and Business Regulations section (Title 4) of the Taft Municipal Code.

CEQA:

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) as set forth in Section 15061(b)(3) of the CEQA Guidelines as the proposed amendment will have no significant effect on the environment.

ATTACHMENTS:

1. Zoning Ordinance Chapter 6.1.190, Yard or Garage Sales
2. Kern County Zoning Ordinance Section 19.12.130C – Garage or Yard Sales
3. Bakersfield Municipal Code Section 17.04.305 and 17.04.547 – Definitions of “Garage or Yard Sales” and “Garage Sale Sign”
4. Shafter Municipal Code Section 5.52 – Yard Sales (Title 5 – Business Taxes, Licenses, and Regulations)
5. Wasco Municipal Code Section 5.36 – Yard Sales (Title 5 – Business Taxes, Licenses, and Regulations)
6. McFarland Municipal Code Section 5.58 – Garage Sales (Title 5 – Business Taxes, Licenses, and Regulations)

19.12.130 SPECIAL REVIEW PROCEDURES AND DEVELOPMENT STANDARDS

6. Signs may be illuminated only during the actual hours that the facility is open for public sale of products.
 7. Sign height shall not exceed twelve (12) feet.
 8. Signs are permitted for a temporary, cumulative period of seven (7) months within any calendar year.
 9. Any sign permitted in accordance with this section shall not be located more than five (5) miles from the direct marketing facility for which the sign provides directions, unless the facility is located more than five (5) miles from a designated County major highway or state or federal highway. In such cases, a single sign may be located at the nearest designated County major highway or state or federal highway, regardless of the distance from the facility.
 10. All signs shall comply with the provisions and regulations of the California Department of Transportation, Outdoor Advertising Branch, when located adjacent to a state or federal highway.
 11. Prior to installation of any sign, a plan showing the location and the spacing of each sign shall be submitted to the Planning Director for approval. A copy of such plan shall be retained by the Planning Department for file purposes.
- C. Garage or yard sales are permitted without special permit provided they meet the following standards:
1. Sales last no longer than three (3) days.
 2. Sales are held no more than twice yearly.
 3. Sales are conducted on the owner's or tenant's property. Multiple-family sales are permitted if they are held on the property of one (1) of the participants.
 4. No goods purchased for resale may be offered for sale.
 5. No consignment goods may be offered for sale.
 6. Directional signs may be placed on the street right-of-way.
 7. All directional and advertising signs shall be freestanding and removed after completion of the sale.
 8. All directional and advertising signs placed on private property shall have the owner's permission.
 9. No directional or advertising signs may be larger than two (2) feet by three (3) feet.
- D. An application for a bed and breakfast inn will not be considered complete until the following information is either confirmed or submitted:

Bakersfield Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 17 ZONING](#)[Chapter 17.04 DEFINITIONS](#)[\[remove highlighting \]](#)**17.04.305 Garage or yard sale.**

“**Garage** or yard sale” is a sale of personal goods which is undertaken by the occupant of a residence where the **garage** sale occurs, which is no longer than two consecutive days in duration, nor which occurs more frequently than twice a year. (Ord. 4710 § 1, 2012; Ord. 2694 § 2, 1982)

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into a sign.

“Directional sign” means an on-premises, incidental sign designed to guide or direct pedestrian or vehicular traffic.

“Directory” means any sign listing the names, and/or use, and/or location of the various businesses or activities conducted within a building or group of buildings.

“Electric message display” means a sign displaying words, symbols, figures, images or video that is automatically controlled by mechanical, electronic, or computerized means.

“Flashing sign” means any sign which contains or is illuminated by lights which flash, scintillate, blink, travel, go on and off intermittently, change in intensity or color or is illuminated by light not providing constant illumination, also including flashing beacons or flashing arrows and parts of attachments to signs which are illuminated by such lights.

“Freestanding sign” means a sign which is supported by one or more columns, uprights, or braces in or upon the ground and not attached to a building. Monument, pylon and pole signs are considered freestanding signs.

“Freeway-oriented sign” means any pylon sign identifying premises where food, lodging and places of business engaged in supplying goods and services essential to the normal operation of motor vehicles and which are directly dependent upon an adjacent freeway.

“Future facility sign” means a temporary sign which identifies the future use or tenant, consistent with what use is permitted by the existing zoning of the site.

“Garage **sale** sign” means a temporary sign which announces the **sale** of personal used goods, furniture, or clothing at a residence by the occupant for a limited period of time. Sign may also be referred to as a **yard sale** or estate **sale**.

“Indirectly illuminated sign” means a sign whose illumination is derived entirely from a light source which is arranged so that no direct rays of light are projected from such light source into adjacent properties or public streets.

“Logo” means a symbol, design, or graphic representation which may or may not include text, which identifies a business, activity or company.

“Menuboard” means a sign similar to a readerboard which is a permanent structure upon which is displayed a menu of items for **sale** and may or may not include prices, of which the copy is of a temporary or changeable nature. Advertisement or copy shall not be displayed on materials constructed of cloth, fabric, paper, cardboard, placards, or similar such materials.

“Monument sign” means a low profile freestanding sign supported from grade to the bottom of the sign face with or having the appearance of a solid base. The width of the base shall be at least seventy-five percent of the dimension of the width of the sign face, and the area of said base shall not exceed fifty percent of the allowable area of the sign face.

“Moving sign” means any sign which has any visible moving part, visible revolving parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or kinetic means, including intermittent electrical pulsations, or by action of wind currents.

“Nameplate” means a small sign that contains the name and/or address of the occupant of a residence or building, and is located near or on the door of the entrance.

“Neighborhood/subdivision identification sign” means a sign which identifies a single-family development, condominium development, or apartment complex. This type of sign also includes signs identifying public parks.

“Nonconforming sign” means a sign which was legally installed under laws or ordinances in effect prior to the effective date of this title or subsequent revisions as they pertain to signage, but which is currently in conflict with those provisions. This definition does not include signs illegally installed contrary to the laws or ordinances

Chapter 5.52 - YARD SALES

Sections:

5.52.010 - Defined.

The term "yard sale," as used in this chapter, means the display and offering for sale to the public at large of clothing, household goods, furnishings, appliances, tools, or other items of personal property at, in or about residential premises, which items have been acquired, accumulated and kept in the course of occupancy by the residents of such residential premises primarily for household uses and purposes and not for resale. The term yard sale, as used in this chapter, includes a garage sale and any like sale under other designation.

(Ord. 431 § 1 (part), 1991: Ord. 381 § 2 (part), 1988: prior code § 5-9-1)

5.52.050 - Frequency—Duration.

No person shall be entitled to conduct a yard sale at residential premises at which two yard sales during the then current fiscal year have theretofore been held, unless there has been a complete change of occupancy and the adult occupants are all persons other than those in occupancy at the times of the two prior yard sales. The fiscal year referred to in this section is the city's fiscal year beginning July 1st and ending June 30th of the year immediately following. In addition, no single yard sale shall extend in duration beyond two consecutive days.

(Ord. 431 § 1 (part), 1991: Ord. 381 § 2 (part), 1988: prior code § 5-9-3(A))

5.52.060 - Imported items prohibited.

The display and the offering for sale at a yard sale of personal property imported to residential premises for purposes of sale, and the sale of any such imported personal property at a yard sale, are expressly prohibited.

(Ord. 431 § 1 (part), 1991: Ord. 381 § 2 (part), 1988: prior code § 5-9-3(B))

5.52.070 - Violation—Penalty.

A violation of this chapter shall constitute an infraction and shall be punishable by:

- A. A fine not exceeding fifty dollars for a first violation;
- B. A fine not exceeding one hundred dollars for a second violation within one year;
- C. A fine not exceeding two hundred fifty dollars for each additional violation within one year.

(Ord. 431 § 1 (part), 1991: Ord. 381 § 2 (part), 1988: prior code § 5-9-4)

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Chapter 5.36 YARD SALES

Sections:

- 5.36.010 Definitions.
- 5.36.020 Frequency--Duration.
- 5.36.030 Imported items prohibited.
- 5.36.040 Permit required.
- 5.36.050 Violation--Penalty.

5.36.010 Definitions.

As used in this chapter, the following definitions shall apply:

"Yard **sale**" means the display and offering for **sale** to the public at large of clothing, household goods, furnishings, appliances, tools, or other items of personal property at, in or about residential premises, which items have been acquired, accumulated and kept in the course occupancy by the residents of such residential premises primarily for household uses and purposes and not for resale. The term yard **sale**, as used in this chapter, includes a **garage sale** and any like **sale** under other designation. (Ord. 478 §1 (part), 2003: Ord. 473 §1 (part), 2002).

5.36.020 Frequency--Duration.

No person shall be entitled to conduct a yard **sale** at residential premises at which two yard **sales** during the then current calendar year have theretofore been held, unless there has been a complete change of occupancy and the adult occupants are all persons other than those in occupancy at the times of two prior yard **sales**. In addition, no single yard **sale** shall extend in duration beyond two consecutive days. (Ord. 478 §1 (part), 2003: Ord. 473 §1 (part), 2002).

5.36.030 Imported items prohibited.

The display and the offering for **sale** at a yard **sale** of personal property imported to residential premises for purposes of **sale**, and the **sale** of any such imported personal property at a yard **sale**, are expressly prohibited. (Ord. 478 §1 (part), 2003: Ord. 473 §1 (part), 2002).

5.36.040 Permit required.

No yard **sale** shall be operated, conducted or maintained except in compliance with, and as provided in, this chapter and code, and only after having first obtained a permit from the city of Wasco finance director or his designee. (Ord. 478 §1 (part), 2003: Ord. 473 §1 (part), 2002).

5.36.050 Violation--Penalty.

A violation of this chapter shall constitute an infraction and shall be punishable by:

- A. A fine not exceeding fifty dollars for a first violation;
- B. A fine not exceeding one hundred dollars for a second violation within one year; or

C. A fine not exceeding two hundred fifty dollars for each additional violation within one year. (Ord. 478 §1 (part), 2003: Ord. 473 §1 (part), 2002).

The Wasco Municipal Code is current through Ordinance 660, passed December 1, 2015.

Disclaimer: The City Clerk's Office has the official version of the Wasco Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

CHAPTER 5.48 - GARAGE SALES

Sections:

5.48.010 - Definitions.

As used herein, "garage sales" means those occasional sales conducted on residential premises other than those occurring from a home occupation as more particularly described in Section 17.04.340 of the McFarland Municipal Code.

(Ord. No. 306-2005, § 1, 11-10-05)

5.48.020 - Permit and fees.

It is unlawful for any person to conduct a garage sale without obtaining a permit in the manner as hereinafter described. The fee for a permit may be established from time to time by resolution of the city council and shall be for one garage sale. An application for a permit may be obtained from city hall. The fee shall be paid at the time the application is filed and shall be nonrefundable whether or not the permit is issued. A permit and fee shall be required for each garage sale.

(Ord. No. 306-2005, § 1, 11-10-05)

5.48.030 - Limitations.

No more than four garage sales on the same premises may be held in any calendar year. No garage sale shall be conducted for more than two consecutive days. A garage sale may not commence before six a.m. or end any later than five p.m. on the permitted days.

(Ord. No. 306-2005, § 1, 11-10-05)



City of Taft Planning Commission Staff Report

Agenda Item #4

DATE: January 20, 2016

TO: Chairman Orrin and Members of the Planning Commission

FROM: Mark Staples, Director
Planning and Development Services

SUBJECT: Zoning Ordinance Amendment 2016-02 – Fences and Walls

RECOMMENDATION: This is an informational and discussion item only as a final draft will be presented at a public hearing at a later date.

LOCATION: Citywide

PROJECT ANALYSIS:

The City of Taft is responsible for continually reviewing and updating the adopted Zoning Ordinance to ensure internal consistency and consistency with the adopted General Plan. On May 21, 2014, the Planning Commission approved amendments to the Zoning Ordinance regarding fencing and wall standards. The City Council approved the amendment at their meeting on June 17, 2014. At the December 16, 2015, Planning Commission meeting, Commissioners and staff discussed desired projects for the 2016 year. Commissioners concurred that there are many instances of code enforcement issues regarding fencing and walls.

Attached is the approved amendment to Chapter 6.11.90 Fences and Walls of the Zoning Ordinance. Also attached is Kern County's section of their Zoning Ordinance regarding fences, walls, and landscape hedges. One recommended edit to the City section is to require front yard fences to require some spacing between pickets, wrought iron, or other fence material to have less of a solid wall barrier between the sidewalk and the front yard of any property. However, no other Kern County jurisdiction has specific standards requiring typical wooden picket fences or wrought iron fences where the solid vertical fence materials are spaced about four inches apart.

CEQA:

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) as set forth in Section 15061(b)(3) of the CEQA Guidelines as the proposed amendment will have no significant effect on the environment.

ATTACHMENTS:

1. Approved Zoning Ordinance Amendment to Chapter 6.11.90, Fences and Walls
2. Kern County Zoning Ordinance Section 19.08.210 – Fences, Walls and Hedges
3. Bakersfield Municipal Code Section 17.08.180 – Fence, Walls, and Hedges Regulations
4. Wasco Residential Zone Development Standards Table 17-4
5. Delano Municipal Code Section 20.10.90 – Fences and Walls

- (3) Projects constructed under this Section shall conform to height, setback, lot coverage, parking, site plan review, fees, charges and other health, safety and zoning requirements generally applicable construction in the zone in which the property is located except as may be modified in this Chapter.
 - b) The day care facility may be located either on-site or off-site as agreed upon by the developer and the City, and shall be of a size to comply with all state licensing requirements in order to accommodate a minimum of forty (40) children. A consortium with more than one developer may be used in order to achieve the threshold amount for the available floor area ratio density bonus and with each developer's bonus density pro rated based on the percentage participation of each developer.
 - c) The developer may either operate the day care facility itself or may contract with a licensed child care provider to operate the facility. In all cases, the developer must coordinate with a local child care resource and referral network in order to qualify for the floor area ratio bonus.
 - d) Once the child care facility has been established, prior to any closure, change in use, or reduction in the size of the facility, the City Council shall find that the need for child care is no longer present, or is not present to the same degree as it was at the time the day care facility was developed.
- 3) Additional Non-Residential Conditions

The City may impose additional standards or conditions specific to the project and/or environmental mitigation measures related to the project.

6.11.90 FENCES AND WALLS

1. Residential Districts
 - a. In any required front yard or street side yard of a reversed corner lot, a wall or fence shall not exceed forty (40) inches in height.
 - b. A wall or fence not more than six (6) feet in height, as measured from the adjacent grade on the same parcel may be maintained along any interior side yard, rear yard or street side yard provided that such wall

or fence does not extend into the required front yard or the street side yard of a reverse corner lot.

- c. Fences and walls located between residential lots shall be constructed of wood, metal rail, masonry block or other durable materials.
- d. Fences and walls placed between residential lots and adjoining rights-of-way, Arterial streets, and Arterial Highways shall be constructed of wood, metal rail, masonry block or other decorative and durable materials. Solid masonry walls for visual screening and sound attenuation may be required for residential uses or residentially zoned property or where more sensitive adjacent land uses exist, as required and approved by the Planning Director.
- e. Except where the Planning Director determines that screening is needed, open walls and fences shall be placed alongside and rear yards that are adjacent to open space areas.
- ef. No barbed wire shall be used or maintained as a fence or all, or as any part of a fence or wall when located along a front, side, or rear property line of any lot or within three (3) feet of any such property line; nor shall any sharp wire or points project to the side or above the top of any fence or wall.
- g. Prohibited fence and wall materials include, but are not limited to, scrap metal, scrap wood, or scrap masonry block; chicken wire or other wire fencing; corrugated metal or plastic; or other similar non-durable or non-traditional fence and wall materials.

2. Non-Residential Districts

- a. Within any required front building setback area, wall or fences shall not exceed forty (40) inches in height. However, walls or fences may be permitted up to a maximum height of five (5) feet provided that the portion of the fence or wall above forty (40) inches in height is ninety (90) percent light-emitting wrought iron or other similar material.
- b. Fences and Wwalls for the purpose of screening commercial and industrial activities from more sensitive land uses, and for sound attenuation, shall be required as a condition of approval for commercial or industrial development:-
 - 1) Open fences may be used so long as solid, durable, and opaque screening materials are applied to provide the required screening.

1)2) Plastic slats in chain link fencing shall be made of an opaque, durable material and occupy the full width of the chain link fence openings.

The height, placement and design of such walls shall be determined based on the required sound attenuation and/or need for visual screening to ensure consistency with General Plan policies and performance standards. In some instances, site specific conditions may require a variance to maximum wall height requirements in order to meet the provisions of this paragraph.

- c. In any required rear or interior side building setback area, except as provided by Section 10.90.2.b above, walls and fences shall not exceed six (6) feet in height except with an approved conditional use permit.
- d. No barbed wire shall be used or maintained as a fence or wall, or as any part of a fence or wall, when located along a front, side, or rear property line, or when placed in such a manner as to be visible from a public or private street; not shall any sharp wire or points project above the top of any fence or wall that is either less than six (6) feet in height or is visible from any public or private street in a commercial zone district, however, such barbed wire may be permitted in an industrial zone district.
- e. Prohibited fence and wall materials include, but are not limited to, scrap metal, scrap wood, or scrap masonry block; fabric screening; chicken wire or other wire fencing; corrugated metal or plastic; or other similar non-durable or non-traditional fence and wall materials.

6.11.100 GRADING

Whenever a tentative map or other residential, commercial or industrial development is approved, which will require grading or other preparation of the soil, the City may impose conditions relating to grading on the approval of the development. Such grading conditions shall be in addition to any other provisions of the Building Code applicable to the project. Such conditions shall be included by the Building Official or Public Works Director and City Engineer in any grading permit thereafter issued. Such conditions may include, but are not limited to, the following:

1. A requirement that lands slope toward rather than away from the street.
2. Requirements for planting and landscaping of slopes.
3. Requirements for the irrigation of slopes.
4. Limitations on the amount of soil to be imported or exported from the site.

19.08.210 FENCES, WALLS, AND HEDGES

- A. In the E (1/4), E (1/2), E (1), E (2 1/2), R-1, R-2, and R-3 Districts, no fence, wall, or hedge located in the rear or side yards shall exceed a height of six (6) feet, except when a higher fence, wall, or hedge is required as a condition of approval of a discretionary permit except when approved by the Director in the manner contained in Subsection G of this section.
- B. In the E (1/4), E (1/2), E (1), E (2 1/2), R-1, R-2, and R-3 Districts, no fence, wall, or hedge located in the required front yard shall exceed a height of four (4) feet, except when a higher fence, wall, or hedge is required as a condition of approval of a discretionary permit or except when approved by the Director in the manner contained in Subsection paragraph G of this section.
- C. Maximum fence, wall, or hedge height shall be measured from the finished interior grade. That portion of a wall or fence functioning as a retaining wall shall not be counted in determining overall fence or wall height. (See Figure 19.08.210)
- D. In the E (1/4), E (1/2), E (1), E (2 1/2), R-1, R-2, and R-3 Districts, no barbed wire shall be used or maintained as part or on any fence, wall, or hedge located along the front, side, or rear lines of any lot, or within three (3) feet of said lines, and no sharp wire or points shall project at the top of any fence or wall less than six (6) feet in height. No electrified fences shall be permitted, regardless of location, except for purposes of animal containment on lots zoned with the Residential Suburban (RS) Combining District and which contain a minimum lot size of 2 1/2 acres.
- E. In the E (1/4), E (1/2), E (1), E (2 1/2), R-1, R-2, and R-3 Districts, no fence, wall, or hedge located in the rear twenty-five (25) feet of a through lot shall exceed four (4) feet in height, except when a higher fence, wall, or hedge is required as a condition of approval of a discretionary permit, or except when approved by the Director following the procedure described in Subsection G of this section.
- F. In the E (1/4), E (1/2), E (1), E (2 1/2), R-1, R-2, and R-3 Districts, no fence, wall, or hedge located within ten (10) feet of the rear lot line of a reversed corner lot between the street and the established front-yard setback line on the key lot to the rear shall exceed a height of four (4) feet, except when a higher fence, wall, or hedge is required as a condition of an approval of a discretionary permit, or except when approval by the Planning Director following the procedure described in Subsection G of this section.
- G. A public hearing is conducted using the procedure in Chapter 19.110, except that Section 19.110.050 shall not apply to such hearing. Heights exceeding the maximum heights otherwise permitted by this section may be allowed if the Director makes the following findings:
 - 1. The increased height will permit appropriate development on the property;
 - 2. The increased fence height is compatible with development in the vicinity; and
 - 3. The increased fence height will not create traffic hazards in the project vicinity.

**FIGURE 19.08.210
MAXIMUM FENCE HEIGHT**

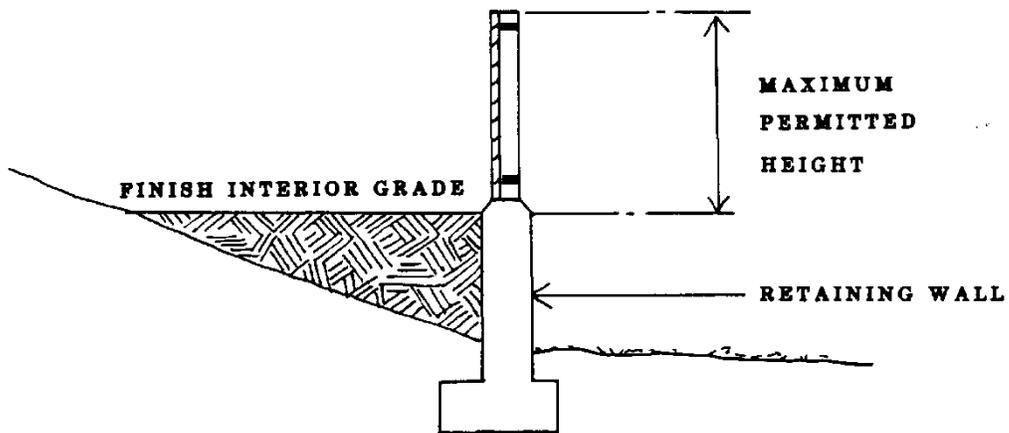
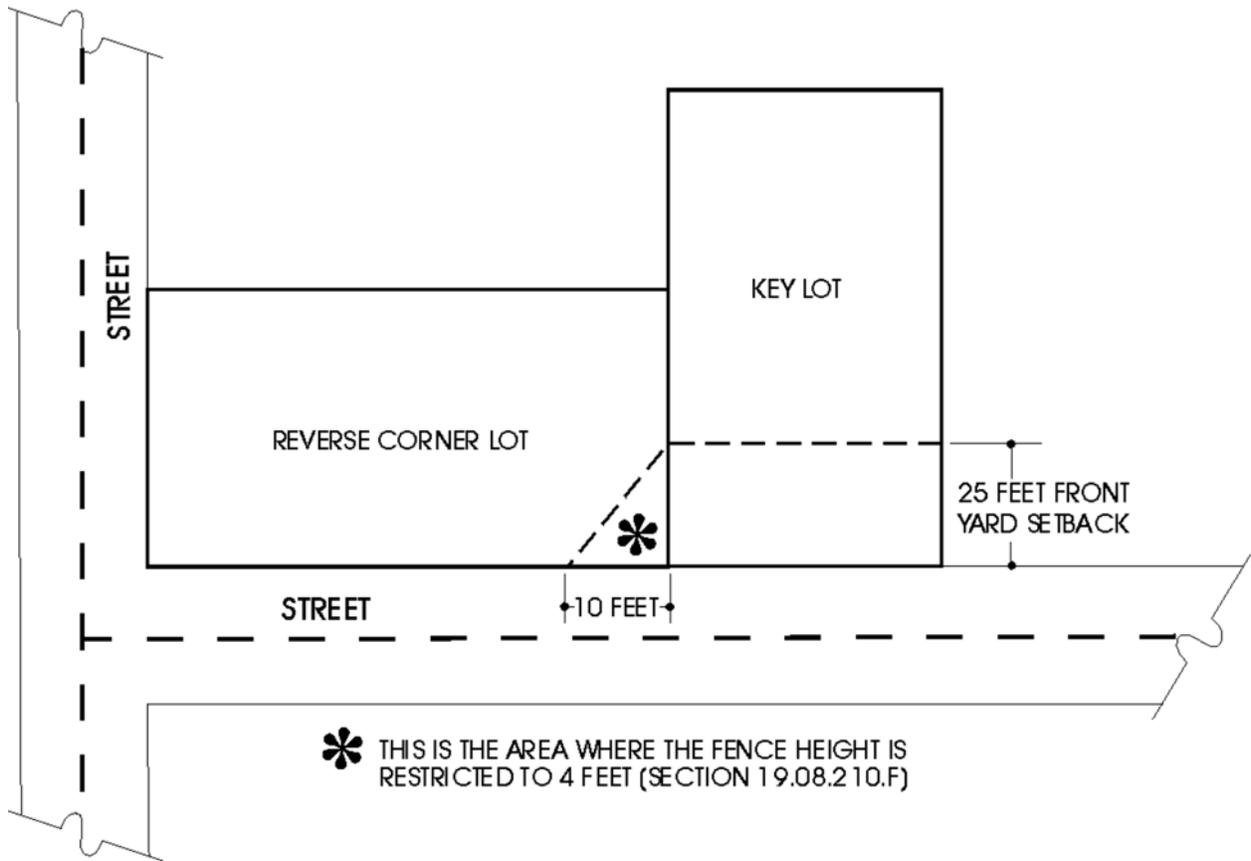


FIGURE 19.08.210.B
FENCE HEIGHT RESTRICTIONS
REVERSE CORNER LOTS



Bakersfield Municipal Code[Up](#)[Previous](#)[Next](#)[Main](#)[Search](#)[Print](#)[No Frames](#)[Title 17 ZONING](#)[Chapter 17.08 GENERAL REGULATIONS INCLUDING SITE PLAN REVIEW](#)**17.08.180 Fence, walls and hedges—Regulations.**

A. In the R-1, R-2, R-3 and R-4 zones, no fence, wall or hedge located in the rear or side yards shall exceed a height of six feet unless a greater height is required by city or state regulations for noise attenuation or sight screening. On all through lots located in these zones in which the rear lot line abuts a state highway, major highway or secondary highway and is below the grade of the roadway, at the roadway grade, or less than ten feet above the roadway grade, a masonry wall as defined by Section 17.04.462 shall be provided.

B. In the R-1, R-2, R-3 and R4 zones, no fence, wall or hedge located in the required front yard shall exceed a height of four feet, except in the following situations, in which such fence or wall may be higher but shall not exceed a height of six feet:

1. Where, as determined by the planning commission, a side yard is adjacent to an arterial or collector street and a

higher wall is necessary to finish the required subdivision wall.

2. Where, as determined by the city council, planning commission, or board of zoning adjustment, a higher fence or wall is necessary for purpose of noise attenuation.

C. Reserved.

D. In the R-1, R-2, R-3 and R-4 zones no barbed or electrified wire shall be used or maintained in or about the construction of a fence, wall or hedge along the front, side or rear lines of any lot, or within three feet of said lines, and no sharp wire or points shall project at the top of any fence or wall less than six feet in height.

E. In the C-O, C-C, C-1, C-2, M-1 and M-2 zones no barbed or electrified wire shall be erected, installed, used or maintained or caused to be erected, installed, used or maintained on, in or about any fence, wall or hedge along the front, side or rear lines of any lot, nor shall any barbed wire be erected, installed, used or maintained or caused to be erected, installed, used or maintained, for fencing purposes, or as a barrier across or around any lot, or portion thereof, or around any building or structure upon or along any street, alley or public way, unless the lowest strand of barbed wire is installed not less than six feet three inches above the highest adjoining grade on either side of such fence; where barbed or electrified wire is erected, installed, used or maintained in accordance with this subsection, it shall not extend over or into any abutting property or public right-of-way and shall, in all cases, either extend in toward the owner's side of such fence or directly vertical, subject to approval by the building director.

F. In the A zone barbed or electrified wire for agricultural fencing purposes shall be permitted to be erected, installed, used or maintained at locations at least one thousand three hundred feet from any residential area as defined in Section 17.32.020, and not otherwise, subject to approval by the building director.

G. Fences constructed prior to September 1, 1983, intended to act as protective enclosures and to make canals inaccessible to small children, are exempted from the restrictions of subsections D, E and F of this section. (Ord. 4781 § 1, 2014; Ord. 3824 § 3, 1998; Ord. 3610 § 2, 1994; Ord. 3021 § 3, 1986; Ord. 2696 § 7, 1982; prior code § 17.52.170)

View the [mobile version](#).

**Table 17-4
Residential Zone Development Standards**

	Rural Residential	Residential Estate	Low Density Residential Large Lot Size	Low Density Residential Medium Lot Size	Low Density Residential	Medium Density Residential	High Density Residential
PARCEL STANDARDS	R-R	R-E	R-1-10	R-1-8	R-1-6	R-2	R-3
Minimum lot size	20,000 s.f.	12,000 s.f.	10,000 s.f.	8,000 s.f.	6,000 s.f.	6,000 s.f.	6,000 s.f.
Minimum lot area per dwelling unit (square feet of lot area per dwelling unit)	1 per lot	1 per lot	1 per lot	1 per lot	1 per lot	3,000 s.f.	2,000 s.f.
Minimum lot width	85'	70'	65'	60'	60*	60'	60'
Minimum lot width (corners)	90'	75'	70'	65'	65'	65'	65'
Maximum lot width to depth ratio	1:3	1:3	1:3	1:3	1:3	1:3	1:3
Minimum lot width (cul-de-sac lots)	40'	40'	35'	35'	35'	40'	40'
Required setbacks							
- Front yard	35 ³	25 ³	20 ⁶	20 ⁶	20 ⁶	20 ⁶	20 ⁶
- Side yard	15'	5'	5'	5'	5'	5'	5'
- Side yard street side	20'	10'	10'	10'	10'	10'	10'
- Rear yard	15'	15'	15'	15'	15'	15'	15'
- Rear yard through lot	25 ³	25 ³	25 ⁶	25 ⁶	25 ⁶	25 ⁶	25 ⁶
Height limit/stories ^{16 - 17}	35/3	35/3	35/3 ¹⁰	35/3 ¹⁰	35/3 ¹⁰	35/3 ¹⁰	45/4 ¹⁰
Minimum distance between residential structures	10'	10'	10'	10'	10'	10 ¹⁵	10 ¹⁵
Minimum distance between residential structures and residential accessory structures	10'	10'	10'	10'	10'	10'	10'
Minimum distance between on-site or off-site residential structures and structures used for the purpose of housing livestock or for processing, packing or storing agricultural produce	100'	30 ¹¹	30 ¹¹	30 ¹¹	30 ¹¹	30 ¹¹	30 ¹¹
Fence, wall or hedge height							
- Within front yard setback	3.5'	3.5'	3.5'	3.5'	3.5'	3.5'	3.5'
- Within side yard setback	6'	6'	6'	6'	6'	6'	6'
- Within rear yard setback	6'	6'	6'	6'	6'	6'	6'
- Within rear yard setback through lot	6'	6'	6'	6'	6'	6'	6'

* Provided that for every two lots that are a minimum of sixty feet in width, one lot that is less than sixty feet in width may be allowed. In no case, however, shall any lot be less than six thousand square feet in lot area.

1. See Section [17.30.050](#) for details.
2. No more than one legal dwelling unit per legal lot or parcel. See appropriate section for details.
3. Or seventy-five feet from legal centerline of existing or proposed street, whichever is greater.

4. There is no height limitation for nonresidential structures in this zone. Radio and television antenna, chimneys, and other similar structures shall not exceed eighty feet in height.
5. Except when combined with a cluster district. See Chapter [17.52](#) for details.
6. Or fifty feet from the legal centerline of any existing or proposed local street or minor collector; seventy feet from legal centerline of any existing or proposed collector street.
7. Heights of structures may exceed forty-five feet or four stories in height if the building envelope above this height line is set back five feet for every additional ten feet in height. All rooflines above forty-five feet or four stories shall be articulated to add interest to the architectural skyline.
8. Residential may be successfully integrated within this zone with a specific plan or precise development plan and adhering to the applicable design district standards.
9. Residential is not applicable or permitted except when combined with a specific plan or precise development plan as a manager/caretakers quarters, and complies with the applicable design district standards. In this case the distance between residential and nonresidential on-site may be zero feet, but the distance to the nearest residential off-site will be as stated.
10. Detached accessory structures shall be limited to one story by right and may exceed one story with the approval of a conditional use permit.
11. And at least one hundred feet away from the front property line, and at least twenty-five feet from the street side of a corner lot and at least one hundred feet away from any public parks, schools, hospitals or similar institution.
12. Community recreational facilities shall not exceed two stories or twenty-five feet in height.
13. Minimum lot size shall be determined by the general plan.
14. Four thousand square feet is the minimum square footage per mobilehome space.
15. Plus an additional ten feet for each story to achieve a setback of two feet for every three feet of height.
16. Cannot obstruct existing solar collectors.
17. Residential units may have two-story residence where the second story is situated to the rear of the dwelling and is permitted by right in new subdivisions and not adjacent to existing single-story residences. The addition of a second story of an existing residence or the construction of a new two-story home in an established neighborhood shall be subject to a conditional use permit to insure that the design of the second story will provide privacy to adjacent single-family residences.

N/A - Not Applicable or Not Permitted

(Ord. 658 §1 (Exh. A), 2015).

The Wasco Municipal Code is current through Ordinance 660, passed December 1, 2015.

Disclaimer: The City Clerk's Office has the official version of the Wasco Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

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20.10.90 - Fences and walls.

1. *Residential Districts.*

- a. In any required front yard or street side yard of a reversed corner lot, a wall or fence shall not exceed forty inches in height.
- b. A fence or fence wall not more than six feet in height, as measured from the adjacent grade on the same parcel may be maintained along any interior side yard, rear yard or street side yard provided that such wall or fence does not extend into the required front yard or the street side yard of a reverse corner lot, with the following exception:
For lots adjacent to a sidewalk, that portion of section 20.10.90.1.b, above which provides for a six-foot high fence may be increased to a maximum height of eight feet above the grade of the adjacent sidewalk when the final grade of the subject lot is at least two feet higher than the adjacent sidewalk; provided that for each one foot of fence height above the six feet, two feet of landscaped area shall be provided between the sidewalk and the subject fence.
- c. No barbed wire shall be used or maintained as a fence or wall, or as any part of a fence or wall when located along a front, side, or rear property line of any lot; nor shall any sharp wire or sharp points project above the top of any fence or wall.

2. *Nonresidential Districts.*

- a. Within any required front building setback area, walls or fences shall not exceed forty inches in height. However, walls or fences may be permitted up to a maximum height of five feet provided that the portion of the fence or wall above forty inches in height is ninety percent light-emitting wrought iron or other similar material.
- b. Walls for the purpose of screening commercial and industrial activities from more sensitive land uses, and for sound attenuation, shall be required as a condition of approval for commercial or industrial development. The height, placement and design of such walls shall be determined based on the required sound attenuation and/or need for visual screening to ensure consistency with General Plan policies and performance standards. In some instances, site specific conditions may require a variance to maximum wall height requirements in order to meet the provisions of this subsection.
- c. The screening between commercial or employment districts and adjacent existing or planned residential uses shall consist of a decorative masonry wall sufficient for sound attenuation, and shall have a minimum height of six feet on the commercial side of the wall, except for front yard or street side yard setback area, where it will be reduced to forty inches in height.
- d. In any required rear or interior side building setback area, except as provided by section 20.10.90.2.b above, walls and fences shall not exceed six feet in height except with an approved conditional use permit.
- e. No barbed wire or any other sharp point wire, such as razor sharp chain link fence topping, or points shall be permitted as a fence or part of a fence or wall in a DC or NC zone district.
- f. In a GC, CRC, AP, or CF zone district, barbed wired may be used as part of a fence or wall as set forth hereunder:
(1)

Where permitted by the Community Development Director, barbed wire shall be limited to three strands, no more than one foot in height, when placed on top of a fence or wall when that fence or wall is no less than six feet in height. All other types of fences, or parts of fences or walls, that have sharp wire, such as razor sharp chain link fence topping, or points projecting above the top or to the side of a fence or wall, are prohibited.

- (2) Said barbed wire, when in compliance with the requirements of subsection 20.10.90.2 above, shall be located no less than twenty-five feet from a front or street side property line, unless otherwise approved by the Community Development Director.