



MINUTES

PLANNING COMMISSION MEETING

August 19, 2014

The meeting of the El Cajon Planning Commission was called to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

COMMISSIONERS PRESENT: Paul CIRCO, Chairman
 Darrin MROZ, Vice Chairman
 Luis HERNANDEZ
 Anthony SOTTILE

COMMISSIONERS ABSENT: Adel DANKHA

STAFF PRESENT: Anthony Shute, Planning Manager / Planning Commission Secretary
 Barbara LUCK, Assistant City Attorney
 Ron Luis VALLES, Administrative Secretary

CIRCO explained the mission of the Planning Commission.

CONSENT CALENDAR

Motion was made by SOTTILE, seconded by HERNANDEZ, to adopt the minutes of the Planning Commission meeting of August 5, 2014; carried 3-0 (MROZ abstained, DANKHA absent).

PUBLIC HEARING ITEMS

Agenda Item:	2
Project Name:	Theft Deterrent Security Fencing
Request:	Consider new regulations addressing theft deterrent fencing
CEQA Recommendation:	Exempt
STAFF RECOMMENDATION:	APPROVE
Project Number(s):	Amendment of Zoning Code No. 428
Location:	Citywide
Applicant:	City of El Cajon
Project Planner:	Anthony Shute; 619-441-1742; tonys@cityofelcajon.us
City Council Hearing Required?	Yes September 9, 2014
Recommended Actions:	1. Conduct the public hearing; and 2. MOVE to adopt the next resolution in order recommending City Council approval of proposed Code Amendment

SHUTE summarized the agenda report in a PowerPoint presentation.

MROZ asked if there was much demand for electric fences in the M zone, and SHUTE replied requests are infrequent.

HERNANDEZ asked if there were any photos available that showed the fences. SHUTE noted that a specialist on electrical fences was in the audience was available to provide information.

CIRCO referred to the insurance policy. SHUTE replied that this insurance provision is a standard requirement for events at the City. MROZ mentioned that he issues about a hundred a day of these types of policies and they have a nominal charge with no big financial burden.

CIRCO opened the public hearing and invited any speakers to the podium.

Mr. Michael PATE, representing Electric Guard Dog of Columbia, South Carolina, spoke. He noted that a customer in El Cajon asked to install an electric security fence at their business and found out the City would not allow it. He explained that the electric fence is relatively safe. It is operated by a 12-volt battery as the primary power source. He said that the insurance's standard coverage is a \$6 million umbrella policy and indemnify several individuals.

PATE requested that the zones be expanded to include the General Commercial (C-M) zone. He sought more information about the Administrative Zoning Permit and associated costs. He also had a concern on the condition that pertained to the installation of electrical fences next to residential properties. He addressed concerns over electrocution from the fence, and emphasized that the device is tested by a nationally-recognized testing laboratory to international standards required by the State of California.

PATE also asked about the condition of the electric security fence being adjacent to a sidewalk. He stated that the electric fence is behind a setback which already has a permitted perimeter fence, where people won't be able to touch it. He urged this condition be removed. The electric fence wire is difficult to see, and signage is required every 60 feet. PATE recommended that the Planning Commission approve the resolution and forward to City Council.

MROZ asked if the electric fence was a separate fence, and PATE replied affirmatively, and added that it's located about 12-14 inches behind the fence.

HERNANDEZ noted that the separate electric and chain link fence would make it more attractive.

CIRCO addressed PATE's concerns about the permit process and costs.

SHUTE added that the Administrative Zoning Permit is \$200. He did note that the C-M zone has heavy commercial operations and some equipment rental, and some are adjacent to residential properties, and added that electric fences be installed on properties and not touch or join a shared common property line within existing residential land use, or a residential zoning district. He emphasized if the Commission sticks to the M zone, there are no adjacent residential properties.

SHUTE added that the sidewalk is adjacent to the public right of way, and is a means of transit for

pedestrians. There are additional measures that need to be in place to ensure safety and keep the fence even further back, possibly adjacent to a freeway or another business.

MROZ stated the proposed ordinance requires electric fences be behind an approved perimeter wall or fence, with a minimum height of six feet. SHUTE added that the reason behind this requirement is for screening from the public right of way.

HERNANDEZ asked if the City allows six-foot fences adjacent to the sidewalk. SHUTE replied the City does not. However, in the M zone the code does not allow a six-foot high solid fence within the setback area. A six-foot-high wrought iron fence is allowed on the property line adjacent to a sidewalk.

HERNANDEZ asked if it is possible for a property owner to install electric security fencing on the side of a wrought iron fence along the sidewalk. SHUTE replied that in the proposed code amendment it could not, unless if there was a solid masonry block wall.

Josh TURCHIN of California Metals spoke. He spoke about the theft issues he has been dealing with.

Motion was made by CIRCO, seconded by SOTTILE, to close the public hearing; carried 4-0 (DANKHA absent).

CIRCO clarified that the masonry wall addresses aesthetics. He does not believe a wrought iron fence would not be as pleasant to see. The electric fence does not show very much, but there needs to be a barrier between the sidewalk or another property and the electric fence.

HERNANDEZ concurred and preferred wrought iron instead of a concrete wall and noted there are quite a bit of wrought iron fences in our community. He liked staff's idea of having a solid fence. which increases security where the product is being stored. He prefers that the electric fences be set back behind the set back line. This would allow the landscaping to be developed between the sidewalk and the fencing.

SOTTILE asked if masonry walls are not allowed next to a sidewalk. SHUTE replied affirmatively and added the solid masonry wall would have to be at the setback, which in the M Zone is usually between 10 to 20 feet, depending on the location.

HERNANDEZ favored the electrical fencing instead of barbed or razor wire and recommended their use be allowed into the C-M zone.

CIRCO asked if the consensus was to allow in C-M zone. HERNANDEZ and MROZ concurred. CIRCO did note there was no consensus regarding the two resolution conditions previously discussed, did want staff to let the City Council be aware of their concerns, and added that the Commission did not want this to be prohibitive and make the electrified fencing dysfunctional for clients. The Commission would like further direction on making this work for both the customer and the City.

Motion was made by HERNANDEZ, seconded by CIRCO, to adopt the revised resolution, expanding the use to include the C-M zone, and recommending City Council approval of Amendment of Zoning Code No. 428; carried 4-0 (DANKHA absent).

This item is scheduled for a City Council public hearing at 7:00 p.m., Tuesday, September 9, 2014.

COMMISSIONER REPORTS/COMMENTS:

SOTTILE announced that former Planning Commissioner and now City Councilmember Star Bales' father passed away on Saturday. Funeral services will be held at St. Peter's Chaldean Church on Thursday, August 20, 2014 at 10 a.m.

HERNANDEZ noted that he will not be present at the September 2, 2014 Planning Commission meeting.

ADJOURNMENT

Motion was made by CIRCO, seconded by MROZ, to adjourn the meeting of the El Cajon Planning Commission at 8:10 p.m. this 19th day of August until September 2, 2014, at 7:00 p.m.; carried 4-0. (DANKHA absent)

Paul CIRCO, Chairman

ATTEST:

Anthony SHUTE, AICP, Secretary