

**ORDINANCE 2021-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA AMENDING THE SAN JUAN BAUTISTA MUNICIPAL CODE CHAPTER 10-1, TO REVISE SECTION 10-1-505 TO INCLUDE AN INCREASE IN FENCE HEIGHTS IF NEEDED TO MITIGATE NOISE OR PROVIDE SCREENING FROM ADJOINING HIGHWAYS AND TO PROHIBIT FENCES CLOSER THAN THREE FEET FROM A FIRE HYDRANT**

**(EXEMPT FROM CEQA)**

WHEREAS, the San Juan Bautista Planning Commission has reviewed the amendment to the Fence Ordinance proposed by staff and recognizes a need for an amendment to decrease noise impacts and increase safety for City residents and recommends that the City Council amend Chapter 10-1, Section 10-1-505 of the City Code to include new subparagraphs (E) and (F) to allow fence heights to be increased to mitigate noise and provide screening from adjoining Highways and to prohibit fences closer than three feet from a fire hydrant; and,

WHEREAS, this project to amend the fence ordinance is exempt from the California Environmental Quality Act under Guideline 18.36.050, which exempts the construction of fences.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN JUAN BAUTISTA HEREBY ORDAINS AS FOLLOWS:

Section 10-1-505 shall be revised to add two new subparagraphs as follows:

(E) The height of a wall or fence along any side or rear yard may exceed the requirements in this Article 5 if the City Manager or his designee determines that the additional height is needed to mitigate noise impacts or provide screening from adjoining State Highway 156. The wall or fence shall not exceed the height necessary to mitigate noise and screen undesirable views.

(F) Fences and walls shall be located to maintain a minimum of three feet of clearance around the circumference of any fire hydrant.

The FOREGOING ORDINANCE was first read at a regular meeting of the San Juan Bautista City Council on the 15th day of June, 2021, and was adopted at a regular

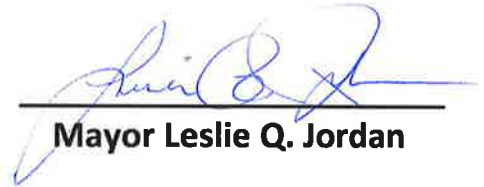
meeting of the San Juan Bautista City Council on the 17<sup>th</sup> day of August, 2021 by the following vote:

**AYES:** Jordan, Flores, Freels, Freeman

**NOES:** None


**ABSENT:** Edge

**ABSTAIN:** None



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Mayor Leslie Q. Jordan

**ATTEST:**



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Shawna Freels, City Clerk

**APPROVED AS TO FORM:**



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Julie Reetz, Deputy City Clerk

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Deborah Mall, City Attorney