



CHAIR SEAN M. RIVAS
VICE CHAIR CECILIA MARTINEZ
COMMISSIONER FRANCISCO SOLORIO
COMMISSIONER FERNANDO DIAZ

CITY OF SAN FERNANDO

PLANNING & PRESERVATION COMMISSION SPECIAL MEETING AGENDA SUMMARY TUESDAY, NOVEMBER 12, 2024 – 5:30 PM

CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340

PUBLIC PARTICIPATION OPTIONS

Please visit the City's YouTube channel to live stream and watch previously recorded Planning and Preservation Commission meetings, which is also available with Spanish subtitles at: <https://www.youtube.com/c/CityOfSanFernando>

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/accommodation to attend or participate in this meeting, including in-person translation services, or other services please call the Community Development Department at (818) 898-1227 or email at communitydevelopment@sfcity.org at least 2 business days prior to the meeting.

SUBMIT PUBLIC COMMENT IN PERSON:

Members of the public may provide comments in person in the City Council Chambers during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

SUBMIT PUBLIC COMMENT VIA EMAIL:

Members of the public may submit comments by email to communitydevelopment@sfcity.org no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission prior to consideration of the agenda. Comments received via email will be distributed to the Planning and Preservation Commission and made part of the official public record of the meeting.

CALL-IN TO PROVIDE PUBLIC COMMENT LIVE AT THE MEETING:

Members of the Public may **call-in between 5:30 p.m. and 5:45 p.m.** Comments will be heard in the order received, and limited to three minutes. If necessary, the call-in period may be extended by the Chair. Note: This is audio only and no video.

Call-in Telephone Number: (669) 900-6833
Meeting ID: 896 2370 9376
Passcode: 194996

When connecting to the Zoom meeting to speak, you will be placed in a virtual "waiting area," with your audio disabled, until it is your turn to speak and limited to three minutes.

PLANNING AND PRESERVATION COMMISSION

Meeting Notice and Agenda –November 12, 2024

Page 2 of 4

CALL TO ORDER/ROLL CALL

TELECONFERENCE REQUESTS/DISCLOSURE

Recommend consideration of requests received for remote teleconference meeting participation made by members of the City's legislative bodies, as permitted under the provisions of Assembly Bill (AB) 2449, Government Code Section 54953, and the City of San Fernando adopted Resolution No. 8215, effective March 1, 2023.

PLEDGE OF ALLEGIANCE

Led by a Commissioner Martinez

APPROVAL OF AGENDA

Recommend that the Planning and Preservation Commission approve the agenda as presented.

DECORUM AND ORDER

City Commissioners are appointed by City Council and must be free to discuss issues confronting the city in an orderly environment. Member of the public attending City Commission meetings shall observe the same rules of order and decorum applicable to the City Council ([SF Procedural Manual](#)). Any person making impertinent derogatory or slanderous remarks or who becomes boisterous while addressing a City Commission or while attending a City Commission meeting, may be removed from the room if the Presiding Officer so directs the Sergeant-At-Arms and such person may be barred from further audience before the City Commission.

PUBLIC STATEMENTS

Members of the public may **provide comments in person in the City Council Chambers** during the Public Comments section of the Agenda by submitting a comment card to the Board Secretary.

Members of the public may submit comments by email to communitydevelopment@sfcity.org no later than **12:00 p.m. the day of the meeting**, to ensure distribution to the Planning and Preservation Commission and made part of the official public record of the meeting.

Members of the public may provide a **live public comment by calling in between 5:30 p.m. and 5:45 p.m. CALL- IN INFORMATION: Telephone Number: (669) 900-6833; Meeting ID: 896 2370 9376; Passcode: 194996**

PLANNING AND PRESERVATION COMMISSION

Meeting Notice and Agenda –November 12, 2024

Page 3 of 4

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and may be disposed of by a single motion to adopt staff recommendation. If the Planning and Preservation Commission wishes to discuss any item, it should first be removed from the Consent Calendar.

1. CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:

- a. February 13, 2023 - Regular Meeting
- b. March 13, 2023 - Regular Meeting
- c. April 10, 2023 - Regular Meeting
- d. October 14, 2024 – Regular Meeting

ADMINISTRATIVE REPORTS

2. DISCUSSION REGARDING AMENDMENTS TO THE SAN FERNANDO MUNICIPAL CODE RELATED TO OUTDOOR DINING.

Recommend that the Planning and Preservation Commission:

- a. Discuss proposed outdoor dining standards; and
- b. Provide direction to staff as appropriate.

3. DISCUSSION OF EXISTING CONDITIONS ANALYSIS AND OUTREACH FINDINGS FROM PHASE 1 OF THE DOWNTOWN MASTER PLAN AND RECEIVE INPUT FOR PHASE 2.

Recommend that the Planning and Preservation Commission:

- a. Discuss the existing condition analysis and outreach findings from Phase 1 of the Downtown Master Plan; and
- b. Provide recommendation before starting Phase 2 of the Downtown Master Plan.

STAFF COMMUNICATION

PLANNING AND PRESERVATION COMMISSION

Meeting Notice and Agenda –November 12, 2024

Page 4 of 4

COMMISSIONER UPDATES/REQUESTS TO AGENDIZE ITEM FOR DISCUSSION AT A FUTURE MEETING

Commissioner(s) may request to agendize an item for discussion at a future meeting, subject to approval by the Commission. Requests should align with the commission's scope of responsibility, adhere to City Council policies, and consider the availability of staff resources and budget constraints.

ADJOURNMENT The meeting will adjourn to its next regular meeting.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Dated: _____ at: _____

Signed By: _____

Agendas and complete Agenda Packets (including staff reports and exhibits related to each item) are posted on the City's Internet Web site (www.sfcity.org). These are also available for public reviewing prior to a meeting at the Community Development Department Public Counter. Any public writings distributed by the Planning and Preservation Commission to at least a majority of the Commissioners regarding any item on this regular meeting agenda will also be made available at the Community Development Department Public Counter located at 117 Macneil Street, San Fernando, CA, 91340 during normal business hours. In addition, the City may also post such documents on the City's Web Site at www.sfcity.org. In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification/ accommodation to attend or participate in this meeting, including auxiliary aids or services please call the Community Development Department Office at (818) 898-1227 or communitydevelopment@sfcity.org at least 48 hours prior to the meeting.

*This Page
Intentionally
Left Blank*

**CITY OF SAN FERNANDO
PLANNING & PRESERVATION COMMISSION MINUTES**

**FEBRUARY 13, 2023 – 6:30 P.M.
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

CALL TO ORDER/ROLL CALL

Vice Chair Marvin Perez called the meeting to order at 6:30 p.m.

Present: Commission: Vice Chair Marvin Perez, Commissioner Yvonne Peña,
Commissioner David Bernal, Commissioner Hector A. Pacheco, and
Commissioner Francisco Solorio

Staff: Community Development Director Kanika Kith, Assistant City
Attorney Norma Tabares, City Clerk Julia Fritz, Associate Planner
Marina Khrustaleva, Administrative Assistant Kenya Marquez

Absent: None.

TELECONFERENCING REQUESTS/DISCLOSURE

No requests considered.

PLEDGE OF ALLEGIANCE

Led by Commissioner Bernal

APPROVAL OF AGENDA

Motion by Commissioner Peña, seconded by Commissioner Bernal to approve the agenda. The motion carried, unanimously with Commissioner Solorio absent.

PUBLIC STATEMENTS – WRITTEN/ORAL

Anabel D. spoke on the need for higher fencing due to an incident that occurred in her home.

REORGANIZATION OF THE PLANNING AND PRESERVATION COMMISSION

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – February 13, 2023

Page 2 of 4

City Clerk Julia Fritz administered the Oath of Office and swore in Commissioners Hector A. Pacheco and Francisco Solorio.

Vice Chair Perez opened nominations for Chair.

Commissioner Bernal self-nominated for Chair and the motion was seconded by Commissioner Peña.

Commissioner Pacheco nominated Vice Chair Perez for chair. Vice Chair Perez declined the nomination.

Vice Chair Perez nominated Commissioner Bernal for chair

There were no other nominations for Chair, by consensus, nominations were closed.

For Commissioner Bernal as Chair, the motion carried unanimously.

Chair Bernal opened nominations for Vice Chair.

Commissioner Perez nominated Commissioner Peña, and the motion was seconded by Commissioner Peña.

There were no other nominations for Vice Chair, by consensus, nominations were closed.

For Commissioner Peña as Vice Chair, the motion carried unanimously.

CONSENT CALENDAR

Motion by Vice Chair Peña, seconded by Commissioner Perez to approve the Consent Calendar items:

1. CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:
 - a. February 14, 2022 – Regular Meeting

The motion carried, unanimously.

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – February 13, 2023

Page 3 of 4

ADMINISTRATIVE REPORTS

2. REVIEW OF ROSENBERG’S RULES OF ORDER

Community Development Director Kith presented the staff report and the Commission reviewed a video on Rosenberg’s Rules of Order prepared by the Institute of Local Government.

STAFF COMMUNICATION

Director of Community Development Kith introduced new staff members, Kenya Marquez and Marina Khrustaleva.

Administrative Assistant Kenya Marquez and Associate Planner Marina Khrustaleva provided brief introductions.

Assistance City Attorney Tabares provided an update regarding AB 2449, which took effect January 1st in regards to the Brown Act.

GENERAL COMMISSION COMMENTS

Commissioner Pacheco expressed his happiness to join the Commission and looks forward to working with his colleagues.

Commissioner Solorio spoke on his background, experience, and excitement to join the Commission.

Commissioner Perez welcomed Commissioners Pacheco and Solorio, and congratulated Vice Chair Perez and Chair Bernal.

Vice Chair Peña welcomed Commissioners Pacheco and Solorio, as well as commented on the public statement made.

Chair Bernal welcomed Vice Chair Peña, Commissioners Pacheco and Solorio; as well as encouraged Commissioners to go above and beyond.

Vice Chair Peña shared the history of the Commission gavel.

ADJOURNMENT (7:50 p.m.)

Commissioner Pacheco motioned to adjourn the meeting to the next regular meeting, seconded by Vice Chair Peña. The motion carried unanimously.

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – February 13, 2023

Page 4 of 4

I do hereby certify that the foregoing is a true and correct copy of the minutes of the February 13, 2023, Regular meeting as approved by the San Fernando Planning and Preservation Commission.

Kenya Marquez
Housing Coordinator

Note: The current sitting members of the Planning and Preservation Commission approved the minutes as to form only during the meeting of February 13, 2023, and are not validating the accuracy of the minutes since they were not part of the Planning and Preservation Commission during that time period.

**CITY OF SAN FERNANDO
PLANNING & PRESERVATION COMMISSION MINUTES**

**MARCH 13, 2023 – 6:30 P.M.
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

CALL TO ORDER/ROLL CALL

Chair David Bernal called the meeting to order at 6:34 p.m.

Present: Commission: Chair David Bernal, Vice Chair Yvonne Peña, Commissioner Marvin Perez, and Commissioner Francisco Solorio

Staff: Community Development Director Kanika Kith, Assistant City Attorney Norma Tabares, Associate Planner Marina Khrustaleva, Administrative Assistant Kenya Marquez

Absent: Commissioner Hector A. Pacheco

TELECONFERENCE REQUESTS/DISCLOSURE

No requests considered.

PLEDGE OF ALLEGIANCE

Led by Vice Chair Yvonne Peña

APPROVAL OF AGENDA

Motion by Vice Chair Peña, seconded by Commissioner Perez to approve the agenda. The motion carried, unanimously with Commissioner Pacheco absent.

PUBLIC STATEMENTS

Gabriel Lopez spoke on the need for a fence to remain at his grandparent's home at 1926 Seventh St.

Jesus Ochoa, Chairman of the Board of Trustees of the Odd Fellows Lodge, spoke on being allowed to build a rod iron fence with commercial standards.

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – March 13, 2023

Page 2 of 4

CONSENT CALENDAR

Motion by Vice Chair Peña, seconded by Commissioner Perez to approve the Consent Calendar items:

1) **CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:**

- a. March 14, 2022 – Regular Meeting

The motion carried, unanimously with Commissioner Pacheco absent.

PUBLIC HEARING

2) **DISCUSSION OF A PROPOSED TEMPORARY MORATORIUM ON THE INSTALLATION OF ARTIFICIAL TURF OR SYNTHETIC GRASS**

Director of Community Development Kanika Kith and Associate Planner Marina Khrustaleva presented the staff report and responded to Commissioner questions.

Commissioner Solorio inquired about the number of residents in San Fernando currently utilizing artificial turf; and requested further information on the City's water quality and its relevance to the proposed moratorium.

Commissioner Perez asked about the number of citations issued for landscape violations to better understand current enforcement levels.

Vice Chair Peña asked about the potential impact of the moratorium on schools and daycare facilities; and suggested providing educational materials on artificial turf for community awareness.

Chair Bernal expressed that a moratorium would allow time to inform the community about rebate options for alternative landscaping. Chair Bernal emphasized the importance of prioritizing health and safety in the discussion around artificial turf.

3) **DISCUSSION OF A PROPOSED ZONE TEXT AMENDMENT (ZTA 2023-001) TO SECTION 106-970, WALLS AND FENCES, TO UPDATE REGULATIONS FOR WALLS AND FENCES**

Director of Community Development Kanika Kith and Associate Planner Marina Khrustaleva presented the staff report and responded to Commissioner questions.

The commission reached a consensus in support of several amendments, with Commissioner Pacheco absent. These amendments include allowing 4-foot high, non-view-obscuring fences in front yards and street-facing side yards on corner lots, as well as permitting 4-foot high vegetative hedges in front yards and along street-facing side yards on corner lots, provided

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – March 13, 2023

Page 3 of 4

they do not obscure the sight clearance triangle. A non-view-obscuring fence is defined as one in which solid components make up no more than 50% of the total surface area of the fence's face. The commission also supported allowing a combination of a fence and a wall in front yards, with the wall portion comprising no more than one-third of the total height. Additionally, the commission recommended prohibiting the use of vinyl fences.

Chair Bernal opened the public hearing.

Chair Bernal opened public comments. No public comments were received. Chair Bernal closed the public comment portion of the public hearing.

Motion by Vice Chair Peña, seconded by Commissioner Perez to continue the proposed Zone Text Amendment (ZTA 2023-001) to the next regular Planning and Preservation Commission meeting on April 10, 2023. The motion carried, unanimously with Commissioner Pacheco absent.

ADMINISTRATIVE REPORTS

4) URBAN FOREST MANAGEMENT PLAN PROJECT UPDATE

Management Analyst Kenneth Jones presented the staff report and responded to Commissioner questions.

5) GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2022

Housing Coordinator/Administrative Assistant Kenya Marquez presented the staff report.

GENERAL COMMISSION COMMENTS

Commissioner Perez expressed anticipation for the upcoming Commission meeting workshop.

Vice Chair Peña mentioned safety and visibility concerns on Fourth Street, particularly regarding parking and the need to extend red zones. Vice Chair Peña also noted that business owners on Maclay Avenue have experienced a decline in business due to street closures.

Chair Bernal mentioned that some street lines and stop signs are not clearly visible, posing potential safety concerns. Chair Bernal also shared he has observed an increase in the number of unhoused individuals in the downtown area.

PLANNING AND PRESERVATION COMMISSION

MINUTES - Regular Meeting – March 13, 2023

Page 4 of 4

STAFF COMMUNICATION

Community Development Director Kanika Kith shared the City is prioritizing high-traffic areas for the street slurry seal project and Public Works will implement additional communication methods to keep businesses informed about future developments; Phase 1 of the Climate Action Resilience Plan, in collaboration with consultant Rincon, has just begun, and the City is actively working to secure a state grant to fund Phase 2. Director Kith shared that as part of the City's sustainability efforts, staff will no longer print agenda packets for meetings; Cal Poly students are working with the City on landscape updates and will prepare proposed designs, which will be presented to the Commission at a later date. Lastly, Director Kith highlighted that last year, the Council adopted a Homelessness Action Plan, approved the creation of a Housing Coordinator position, and established a Housing Division to advance the City's housing initiatives.

Assistant City Attorney Norma Tabares provided the Commission an update of the Brown Act and procedural requirements to ensure compliance with legislative protocols.

ADJOURNMENT (8:23 p.m.)

Vice Chair Peña motioned to adjourn the meeting to the next regular meeting, seconded by Commissioner Perez. The motion carried, unanimously with Commissioner Pacheco absent.

I do hereby certify that the foregoing is a true and correct copy of the minutes of the March 13, 2023, Regular meeting as approved by the San Fernando Planning and Preservation Commission.

Kenya Marquez
Housing Coordinator

Note: The current sitting members of the Planning and Preservation Commission approved the minutes as to form only during the meeting of March 13, 2023, and are not validating the accuracy of the minutes since they were not part of the Planning and Preservation Commission during that time period.

**CITY OF SAN FERNANDO
PLANNING & PRESERVATION COMMISSION MINUTES**

**MONDAY, APRIL 10, 2024 – 6:30 P.M.
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

CALL TO ORDER/ROLL CALL

Chair David Bernal called the meeting to order at 6:38 p.m.

Present: Commissioners: Chair David Bernal, Commissioner Francisco Solorio,
Commissioner Hector A. Pacheco

Staff: Assistant City Attorney Norma Tabares, Community Development
Director Kanika Kith, Associate Planner Marina Khrustaleva,
Housing Coordinator Kenya Marquez, and Administrative
Assistant Yesenia Becerra

Absent: Vice Chair Yvonne Peña

TELECONFERENCE REQUESTS/DISCLOSURE

No requests considered.

PLEDGE OF ALLEGIANCE

Led by Chair Bernal

PUBLIC STATEMENTS – WRITTEN/ORAL

Hasmire Mousheghian spoke on fence materials and height requirements. Email responses from the City of Pasadena and City of South Pasadena regarding vinyl fencing were read into the record.

Mirella Tovar spoke on construction hour restrictions.

APPROVAL OF AGENDA

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to approve the agenda.

The motion carried, unanimously with Vice Chair Peña absent.

PLANNING AND PRESERVATION COMMISSION

MINUTES – Regular Meeting April 10, 2023

Page 2 of 3

CONSENT CALENDAR

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to approve:

- 1) CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:
 - a. April 11, 2022 – Regular Meeting

The motion carried, unanimously with Vice Chair Peña absent.

PUBLIC HEARING

- 2) DISCUSSION OF A PROPOSED ZONE TEXT AMENDMENT (ZTA 2023-001) TO SECTION 106-970, WALLS AND FENCES, TO UPDATE REGULATIONS FOR WALLS AND FENCES

Chair Bernal opened the Public Hearing.

Associate Planner Marina Khrustaleva presented the staff report and responded to Commissioner questions, as well as gathered feedback from Commissioners.

Motion by Chair Bernal, seconded by Commissioner Pacheco to continue the proposed Zone Text Amendment (ZTA 2023-001) to the next regular Planning and Preservation Commission meeting on May 8, 2024. The motion carried, unanimously with Vice Chair Peña absent.

- 3) CONDITIONAL USE PERMIT (CUP 2023-001) – A MODIFICATION TO CONDITIONAL USE PERMIT 1987-09 AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 LICENSE TO SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT THE NEW TARGET STORE LOCATED AT 12920 FOOTHILL BOULEVARD.

Community Development Director Kanika Kith presented the staff report.

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to continue the proposed Conditional Use Permit (Cup 2023-001) to the next regular Planning and Preservation Commission meeting on May 8, 2024. The motion carried, unanimously with Vice Chair Peña absent.

STAFF COMMUNICATION

Director of Community Development Kith provided an update on the urgency ordinance that placed a temporary moratorium on artificial turf; as well as introduced Administrative Assistant Yesenia Becerra.

GENERAL COMMISSION COMMENTS

PLANNING AND PRESERVATION COMMISSION

MINUTES – Regular Meeting April 10, 2023

Page 3 of 3

Commissioner Solorio had no comments.

Commissioner Pacheco mentioned it was a great meeting and thanked staff for the presentations.

Chair Bernal thanked staff for the presentations.

ADJOURNMENT (8:00 p.m.)

Chair Bernal adjourned the meeting to the next regular meeting.

I do hereby certify that the foregoing is a true and correct copy of the minutes of the March 13, 2023, Regular meeting as approved by the San Fernando Planning and Preservation Commission.

Kenya Marquez
Housing Coordinator

Note: The current sitting members of the Planning and Preservation Commission approved the minutes as to form only during the meeting of February 13, 2023, and are not validating the accuracy of the minutes since they were not part of the Planning and Preservation Commission during that time period.

*This Page
Intentionally
Left Blank*

**CITY OF SAN FERNANDO
PLANNING & PRESERVATION COMMISSION MINUTES**

**MONDAY, APRIL 10, 2024 – 6:30 P.M.
REGULAR MEETING**

**CITY HALL COUNCIL CHAMBERS
117 MACNEIL STREET
SAN FERNANDO, CALIFORNIA 91340**

CALL TO ORDER/ROLL CALL

Chair David Bernal called the meeting to order at 6:38 p.m.

Present: Commissioners: Chair David Bernal, Commissioner Francisco Solorio,
Commissioner Hector A. Pacheco

Staff: Assistant City Attorney Norma Tabares, Community Development
Director Kanika Kith, Associate Planner Marina Khrustaleva,
Housing Coordinator Kenya Marquez, and Administrative
Assistant Yesenia Becerra

Absent: Vice Chair Yvonne Peña

TELECONFERENCE REQUESTS/DISCLOSURE

No requests considered.

PLEDGE OF ALLEGIANCE

Led by Chair Bernal

PUBLIC STATEMENTS – WRITTEN/ORAL

Hasmire Mousheghian spoke on fence materials and height requirements. Email responses from the City of Pasadena and City of South Pasadena regarding vinyl fencing were read into the record.

Mirella Tovar spoke on construction hour restrictions.

APPROVAL OF AGENDA

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to approve the agenda.

The motion carried, unanimously with Vice Chair Peña absent.

PLANNING AND PRESERVATION COMMISSION

MINUTES – Regular Meeting April 10, 2023

Page 2 of 3

CONSENT CALENDAR

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to approve:

- 1) CONSIDERATION TO APPROVE PLANNING AND PRESERVATION COMMISSION MEETING MINUTES FOR:
 - a. April 11, 2022 – Regular Meeting

The motion carried, unanimously with Vice Chair Peña absent.

PUBLIC HEARING

- 2) DISCUSSION OF A PROPOSED ZONE TEXT AMENDMENT (ZTA 2023-001) TO SECTION 106-970, WALLS AND FENCES, TO UPDATE REGULATIONS FOR WALLS AND FENCES

Chair Bernal opened the Public Hearing.

Associate Planner Marina Khrustaleva presented the staff report and responded to Commissioner questions, as well as gathered feedback from Commissioners.

Motion by Chair Bernal, seconded by Commissioner Pacheco to continue the proposed Zone Text Amendment (ZTA 2023-001) to the next regular Planning and Preservation Commission meeting on May 8, 2024. The motion carried, unanimously with Vice Chair Peña absent.

- 3) CONDITIONAL USE PERMIT (CUP 2023-001) – A MODIFICATION TO CONDITIONAL USE PERMIT 1987-09 AND A LETTER OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 21 LICENSE TO SALE OF BEER, WINE, AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION AT THE NEW TARGET STORE LOCATED AT 12920 FOOTHILL BOULEVARD.

Community Development Director Kanika Kith presented the staff report.

Motion by Commissioner Pacheco, seconded by Commissioner Solorio to continue the proposed Conditional Use Permit (Cup 2023-001) to the next regular Planning and Preservation Commission meeting on May 8, 2024. The motion carried, unanimously with Vice Chair Peña absent.

STAFF COMMUNICATION

Director of Community Development Kith provided an update on the urgency ordinance that placed a temporary moratorium on artificial turf; as well as introduced Administrative Assistant Yesenia Becerra.

GENERAL COMMISSION COMMENTS

PLANNING AND PRESERVATION COMMISSION

MINUTES – Regular Meeting April 10, 2023

Page 3 of 3

Commissioner Solorio had no comments.

Commissioner Pacheco mentioned it was a great meeting and thanked staff for the presentations.

Chair Bernal thanked staff for the presentations.

ADJOURNMENT (8:00 p.m.)

Chair Bernal adjourned the meeting to the next regular meeting.

I do hereby certify that the foregoing is a true and correct copy of the minutes of the March 13, 2023, Regular meeting as approved by the San Fernando Planning and Preservation Commission.

Kenya Marquez
Housing Coordinator

Note: The current sitting members of the Planning and Preservation Commission approved the minutes as to form only during the meeting of February 13, 2023, and are not validating the accuracy of the minutes since they were not part of the Planning and Preservation Commission during that time period.

*This Page
Intentionally
Left Blank*

*This Page
Intentionally
Left Blank*

Sec 74-196. – Use of Sidewalk for Outdoor Dining

The purpose of this section is to establish regulations to allow limited dining to encroach into the public right-of-way and that is accessory to a restaurant, café, specialty food establishment or other eating establishments, bars, taverns, cocktail lounge, craft breweries/distilleries, tap rooms, tasting rooms or wine bars on when located on private property. It is intended that such outdoor dining will not unduly restrict public access or utilize a design that detracts from the image and appearance of the surrounding area.

- (a) The outdoor dining area shall require approval of an encroachment permit subject to SFMC Sec. 74-196 prior to the placement of any furniture associated with the operation of the outdoor dining area.
 - (1) An encroachment permit must include a site plan drawn to scale that delineates the dimensions of the proposed outdoor dining area, furniture arrangement, path of travel, development standards and design standards described below; a colors and materials sheet of the proposed furniture and dimensions, fees, insurances, indemnification of the city from liability (in a form approved by the City Attorney), and any other plans, documents or information as required by the form provided by the Public Works Department.
 - (2) A building, electrical or mechanical permit may be required depending on the scope of the proposed outdoor dining area.
 - (3) Prior to occupancy of an outdoor dining area an inspection is required.
 - (4) An annual inspection of an outdoor dining area shall be required to ensure compliance with the limited use regulations for outdoor dining.
 - (5) Violations of the outdoor dining area standards may result in enforcement actions up to and including revocation of said permit and termination of use.
 - (6) A copy of the approved encroachment permits and/or building permit, as applicable for an outdoor dining area shall be kept on premises of the associated establishment.
 - (7) Each permit issued shall be personal to the permittee and is not transferable, delegable, or assignable. Any attempted transfer, delegation, or assignment of the permit shall be void. In the event of a transfer of the business of the permittee, the transferee shall obtain a new permit prior to the operation of an outdoor dining area.
- (b) The applicant shall, at its own cost and expense, procure and maintain in force policies of commercial general liability insurance (CGL) in an amount not less than \$1,000,000 per occurrence and shall add the City of San Fernando as Additionally Insured; and Worker's Compensation and Employer's Liability in statutory amounts.
- (c) Development standards for permitted outdoor dining are listed below:
 - (1) Dining areas shall maintain building ingress and egress as defined by the Uniform Building Code and emergency access in accordance with California Fire Code. In addition, an unobstructed path of ingress and egress travel with a minimum 4-foot width that leads occupants directly from exit doors to the public right-of-way.
 - (2) All furniture associated with the outdoor dining areas shall not be permanently affixed to the sidewalk or public area in which it is proposed.
 - (3) Tables and chairs shall be placed only in the locations shown on the approved site plan.
 - (4) Barriers to delineate the outdoor dining area are recommended, but not required unless alcohol will be served in the outdoor dining area. The barrier must be moveable and designed as specified below.
 - (5) A clear path, free of all obstructions to the flow of pedestrian traffic, shall be provided in the public right-of-way and shall be maintained at all times. Obstructions include traffic signals or signs, light standards, parking meters, bus stops, trash receptacles, benches, trees, gates that open outward beyond the perimeter of the outdoor dining area, and similar objects.
 - a. The clear path shall be a paved sidewalk that is at least 4 feet wide.

-
- b. The clear path may meander from side to side to avoid obstructions, but shall maintain a continuous, common surface at least 4 feet in width that provides a direct path of travel past the outdoor dining.
 - c. The clear path shall be measured from the outermost point of the outdoor dining to the curb or to the nearest obstruction within the flow of pedestrian traffic, whichever is shorter.
 - d. Recesses in the building façade shall not be used to satisfy the clear path requirement.
 - e. A minimum emergency service access gap of 4 feet with horizontal and vertical clearance shall be required for every 20 feet of linear street frontage.
- (6) Outdoor dining shall be designed and operated so that it may be used by people of all abilities by complying with all of the following:
- a. The surface of the outdoor dining area shall be level and have a running slope and a cross slope that do not exceed 2 percent (1 unit in 50 units' horizontal).
 - b. The outdoor dining area shall not be located on a raised platform or in a sunken area.
 - c. At least one wheelchair accessible seating space shall be provided for every 20 seats, or as required by the California Building Code, or the American Disabilities Act, whichever is greater .
 - d. When multiple wheelchair accessible seating spaces are provided, they shall be distributed and integrated within the outdoor dining area.
 - e. Wheelchair accessible seating spaces shall have a minimum unobstructed maneuverability dimension of 30 inches in width by 48 inches in depth.
 - f. Access to designated wheelchair seating spaces shall be provided through an accessible path with not less than 36 inches unobstructed width.
 - g. The interior of the outdoor dining area shall consist solely of moveable furnishings, including moveable tables, chairs, and umbrellas.
- (d) Parking for outdoor dining portion of an eating establishment shall only be required if and only for the area over the thresholds identified below:
- (1) The area of the outdoor dining area is greater than 200 square feet; or
 - (2) The area of an outdoor dining area exceeds 25% of the combined total of the gross floor area of the associated eating establishment and the area of the outdoor dining area.
- (e) Design standards for permitted outdoor dining are listed below:
- (1) A colors and materials sheet shall be included in the site plan application to provide the colors, materials of all furniture, barriers, lighting and landscaping that is to be in the outdoor dining area. Exact dimensions and specifications shall be included.
 - (2) Dining/seating area barriers (fences, gates, ropes, etc.) shall be visually appealing, and help to separate the dining/seating area from the sidewalk.
 - (3) Fabric inserts (natural or synthetic) of any size are not permitted to be used as a part of a barrier.
 - (4) The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
 - (5) Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
 - (6) Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
 - (7) All furniture and fixtures must be of sufficiently sturdy construction as not to blow over with normal winds.
 - (8) Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other public street infrastructure by any means, whether during restaurant operating hours or when the restaurant is closed.
 - (9) Outdoor dining furniture shall be made of high-quality, durable materials that provide an attractive design and are appropriate use for outdoor use. Folding chairs, lightweight, plastic, deteriorated, U.V. damages, splintered or similar furniture will not be approved or placed in the outdoor dining area. Sealed or painted metal or wood tables are recommended.
-

-
- (10) Upholstered chairs are permitted. Upholstery is not permitted to be of any fluorescent or other strikingly bright or vivid colors.
 - (11) All materials shall be well maintained without stains, rust, tears, or discoloration. Materials that show signs of significant wear/age be replaced.
 - (12) Awnings or umbrellas may be used in conjunction with outdoor dining, and umbrellas shall not be used as a permanent roof or shelter over the outdoor dining. Umbrellas should not be used during extreme wind.
 - (13) Umbrellas shall be constructed of a canvas-type, durable, and fade and fire-resistant material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
 - a. Umbrellas must be free of advertisements or product names.
 - (14) All parts of any umbrella (including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.
 - (15) Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining 7 feet of clearance from the ground to the lowest edge of the umbrella..
 - a. The 7 foot minimum height includes not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels or other such ornamentation.
 - b. No part of an umbrella may exceed a height of 9 feet above the surface of the outdoor dining area to avoid an undue visual obstruction of other businesses.
 - (16) A barrier may be in the form of open fencing, railing, landscape planters, rope or chain that must be a minimum of 3 feet, but not taller than 4 feet in height.
 - (17) If a barrier is rope or chain, the rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of metal or wood. A stanchion base shall not be domed, and shall not be more than one-half (1/2) of an inch above the surface of the floor.
 - (18) Fabric inserts (natural or synthetic) of any size are not permitted to be used as part of a barrier.
 - a. The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
 - b. Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
 - c. Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
 - (19) No banners or signage shall be displayed on the barrier of an outdoor dining area or within the outdoor dining area other than the name of the establishment that may be placed on umbrellas or on the valance of an awning with an overhang not lower than 84 inches from the finished grade of the ground of the outdoor dining area.
 - (20) Signage is not permitted within an outside dining area except with a valid City permit. No extra or additional signage is permitted solely as a result of having an outdoor dining area.
 - (21) Portable heaters, if provided, shall be located a minimum of 4 feet away from the exterior face of the building and from any combustible materials, including architectural projections, or in accordance with manufacturer recommendations, whichever is most restrictive.
 - (22) Planters may be made out of wood, ceramics, stone, metal or high quality thick plastic planter boxes.
 - (23) Planters shall contain live plant materials in healthy condition, subject to the approval of the Public Works department. Seasonal, thematic planter displays are encouraged. Stressed, dead, or dying landscape must be promptly replaced but not more than 72 hours. Artificial plants; empty planters; or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted. No thorny plants may be placed in planters.
 - (24) Planters shall have a self-contained watering reservoir system that prevents any leakage.
 - (25) Illuminated outdoor dining areas shall incorporate lighting which shall be installed to prevent glare onto, or direct illumination of, any public space or property or use.
-

-
- (26) Lighting fixtures may be permanently affixed to the front of the associated eating establishment but shall not protrude into the pedestrian path. Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications. Spotlights and illumination for advertising are prohibited.
- (f) Operating standards for outdoor areas are below:
- (1) Outdoor dining shall be operated in a manner that meets all requirements of the Health Department of Los Angeles County and any other applicable regulations.
 - (2) Exclusive of the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 11:00 p.m., daily.
 - (3) Within the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 12:00 a.m., daily.
 - (4) An outdoor dining area may provide either waiter/waitress service or self-service.
 - (5) At the end of the business day, establishments shall clean (sweep and mop) the area in and around the outdoor dining area. The outdoor dining area shall be clean and free of litter at all times. Waste receptacles are encouraged.
 - (6) Dining equipment (including, but not limited to, tables, chairs, space heaters, barriers) must be stored in an area not visible from the public right-of-way or from any plaza area outside of business hours.
 - (7) Live entertainment, television monitors, screens, speakers, dancing, pool tables, billiard tables, adult entertainment uses, and cover charges are prohibited in the outdoor dining area.
 - (8) Outdoor dining shall comply with the sound level limits of the associated eating establishment in accordance with San Fernando Municipal Code Chapter 34 Article II.
 - (9) All forms of vaping, smoking and the use of tobacco products in the outdoor dining area shall comply with San Fernando Municipal Code Chapter 23.
 - (10) Outdoor cooking is permitted in an outdoor dining area in compliance with the LA County Health Department, CA Building Code and City of LA Fire Code.
 - (11) Establishments which propose to serve alcoholic beverages in the outdoor dining area shall comply with the standards established by the California Department of Alcoholic Beverage Control and shall update their approvals from said department to include the new outdoor dining area if necessary. The outdoor dining area shall be:
 - a. Physically defined and clearly part of the establishment it serves as an accessory use to; and
 - b. Supervised by a restaurant employee to ensure compliance with laws regarding the on-site consumption of alcoholic beverages.
- (g) Subject to sections below of this section, the Director of Public Works or their designee may immediately deny a permit application, or revoke or suspend a permit, if the Director of Public Works finds that: (1) the provisions of this chapter have not been satisfied or violated; or (2) any necessary health permits has been suspended, revoked, or canceled; or (3) the operation of the outdoor dining constitutes a public nuisance, pursuant to Article V of this code; or (4) if the operation of the outdoor dining is endangering, jeopardizing, or otherwise constituting a menace to the public convenience, health, interest, safety, or the general welfare of persons residing or working in the vicinity of the proposed use; or (5) the primary use ceases to operate at the location.
- (1) Notice of violation of any standards of operation shall be made verbally or in writing to the permittee by the Director of Public Works or designee, any department or division head or designee, the Police Department or the Fire Department. A verbal notice of violation shall be followed by a written notice to the permittee. A copy of the notice shall be given to the Director of Public Works. The permittee shall immediately cure the violation upon receipt of verbal or written notice. If the violation is not cured immediately, the Director of Public Works or designee may revoke or suspend the permit.
 - (2) Notice of violation of the outdoor dining development or design standards shall be made in writing to the permittee by the Director of Public Works or designee, any department or division head or designee, the Police Department, or the Fire Department. A copy of the notice shall be given to the
-

Director of Public Works. The permittee shall have 10 days to cure the violation. If the violation is not cured within 10 days after the issuance of the notice to the permittee, the Director may revoke or suspend the permit.

- (3) The Director of Public Works or designee may immediately deny a permit application, or revoke or suspend a permit, for any single violation of this chapter, and shall immediately revoke the permit of any permittee who has committed three violations of this chapter within a twelve-month period.
- (4) Any permittee whose permit application has been denied, or whose permit has been revoked or suspended, may request in writing a hearing before the Director of Public Works. The Director of Public Works shall grant the request and hold an informal hearing, where the basis for the denial, revocation or suspension shall be explained to the permittee. The permit applicant or permittee shall have the opportunity at the hearing to present evidence of compliance with the provisions of this code. If, after the hearing, the Director of Public Works lets stand their decision to deny the permit application, or revoke or suspend the permit, the permit applicant or permittee may appeal the decision of the Director of Public Works to the City Manager, or designee, whose action shall be deemed final.
- (h) Upon permit termination (for any reason), the permittee shall remove, at its own expense, all personal property, furnishings, and equipment from the public right-of-way. All outdoor dining barriers shall be removed and the sidewalk shall be returned to its original condition. Any personal property remaining within the road right-of-way or parking area shall be removed pursuant to the laws of the State of California.
- (i) A violation of this chapter is subject to the administrative citation provisions of subject to SFMC Article III of this code.

Sec. 74-19~~6~~7. Temporary use of sidewalk or roadway.

The city council or the administrative officer or the administrative officer's designee is authorized to grant the temporary use of any sidewalk or roadway for any purpose at such locations and under such conditions as it deems appropriate.

(Code 1957, § 23.119)

Sec. 74-19~~7~~8. Permit terms.

Any permit granted by the city council for any encroachment under any of the sections of this division may be upon such terms and conditions as the council may fix and determine. The violation of any such terms or conditions shall be grounds for immediate revocation of such permit.

(Code 1957, § 23.120)

Sec. 74-19~~8~~9. Painting or marking sidewalk.

It shall be unlawful for any person to write, paint, mark, deface, or draw upon any sidewalk or roadway without first having obtained a permit from the city council.

(Code 1957, § 23.121)

Sec. 74-19~~9~~200. Obstruction of public way declared nuisance.

Anything placed or permitted to remain upon any sidewalk or roadway, in violation of this division, is declared to be a public nuisance. In addition to other remedies provided by law, the city engineer is authorized and empowered to abate the nuisance by removing such obstruction.

(Code 1957, § 23.122)

Secs. 74-205—74-225. Reserved.

Chapter 106- ZONING

ARTICLE VI. - GENERAL REGULATIONS

(reserve 106-1516-1519 in Division 18.- Prohibition on Commercial Cannabis Activity)

DIVISION 19. - OUTDOOR DINING

Sec. 106-1520. – Intent and purpose.

The purpose of this division is to establish requirements for outdoor dining area that is accessory to a restaurant, café, specialty food establishment or other eating establishments, bars, taverns, cocktail lounge, craft breweries/distilleries, tap rooms, tasting rooms or wine bars on when located on private property.

Sec. 106-1521. – Requirements.

- (j) The outdoor dining area shall require approval of a planning review. See also Section 74-196 of the San Fernando Municipal Code, “Use of Sidewalk for Outdoor Dining.”
- (k) Prior to the installation of any structural, mechanical, electrical or plumbing improvements associated with the outdoor dining or sitting area, a Building permit shall be obtained.
- (l) Prior to occupancy of an outdoor dining or seating area an inspection is required.

Sec. 106-1522. - Development standards.

- (a) Base Zone regulations for setbacks, and maximum lot coverage, and emergency access in accordance with the California Fire Code, shall apply.
- (b) Dining areas shall maintain building egress as defined by the Uniform Building Code.
- (c) Tables and chairs shall be placed only in the locations shown on the approved site plan.
- (d) Barriers to delineate the outdoor dining area are recommended, but not required unless alcohol will be served in the outdoor dining area. The barrier may be either permanently installed or moveable.
- (e) When located immediately adjacent to a residential use, or other sensitive uses, provisions shall be made to minimize noise, light, and odor impacts on the residential use.
- (f) Outdoor dining may be covered or uncovered. Awnings or umbrellas may be used in conjunction with outdoor dining, but shall not be used as a permanent roof or shelter over the outdoor dining.
- (g) Outdoor dining shall be designed and operated so that it may be used by people of all abilities by complying with all of the following:
 - (1) The surface of the outdoor dining area shall be level and have a running slope and a cross slope that do not exceed 2 percent (1 unit vertical in 50 units’ horizontal).
 - (2) The outdoor dining area shall not be located on a raised platform or in a sunken area, unless an accessible ramp is provided in accordance with the California Building Code, or the American Disabilities Act, whichever provides greater accessibility.
 - (3) Access openings should be placed in a location that will not create confusion for visually impaired pedestrians.
 - (4) At least one wheelchair accessible seating space shall be provided for every 20 seats, or as required by the California Building Code, or the American Disabilities Act, whichever is greater.
 - (5) When multiple wheelchair accessible seating spaces are provided, they shall be distributed and integrated within the outdoor dining area.

-
- (6) Wheelchair accessible seating spaces shall have a minimum unobstructed maneuverability dimension of 30 inches in width by 48 inches in depth.
 - (7) Access to designated wheelchair seating spaces shall be provided through an accessible path with not less than 48 inches unobstructed width.
 - (h) Parking for the outdoor dining portion of an eating establishment shall only be required if and only for the area over the thresholds identified below:
 - (1) The area of the outdoor dining area is greater than 200 square feet; or
 - (2) The area of an outdoor dining area exceeds 25% of the combined total of the gross floor area of the associated eating establishment and the area of the outdoor dining area.
 - (i) When outdoor dining is proposed on the parking area for the establishment, the required parking can be provided as described in the San Fernando Municipal Code Section 106-827.

Sec. 106-1523. – Design standards.

- (a) A colors and materials sheet shall be included in the site plan application to provide the colors, materials of all furniture, barriers, lighting and landscaping that is to be in the outdoor dining area. Exact dimensions and specifications shall be included.
 - (b) Dining/seating area barriers (fences, gates, ropes, etc.) shall be visually appealing, and help to separate the dining/seating area from the sidewalk.
 - (c) Fabric inserts (natural or synthetic) of any size are not permitted to be used as a part of a barrier.
 - (d) The use of chain-link, cyclone fencing, chicken wire or similar material is prohibited.
 - (e) Materials not specifically manufactured for fencing or pedestrian control are prohibited unless they are expressly allowed elsewhere in these guidelines.
 - (f) Materials such as buckets, food containers, tires, tree stumps, vehicle parts, pallets, etc. are not permitted and shall not be used as components of a barrier.
 - (g) All furniture and fixtures must be of sufficiently sturdy construction so as not to blow over with normal winds.
 - (h) Furniture and fixtures must not be secured to trees, lampposts, street signs, hydrants, or any other public street infrastructure by any means, whether during restaurant operating hours or when the restaurant is closed.
 - (i) Outdoor dining furniture shall be made of high-quality, durable materials that provide an attractive design and are appropriate use for outdoor use. Folding chairs, lightweight, plastic, deteriorated, U.V. damages, splintered or similar furniture will not be approved or placed in the outdoor dining area. Sealed or painted metal or wood tables are recommended.
 - (j) All materials shall be well maintained without stains, rust, tears, or discoloration. Materials that show signs of significant wear/age shall be replaced.
 - (k) Umbrellas shall be constructed of a canvas-type, durable, and fade and fire-resistant material suitable for outdoor use. No plastic fabrics, plastic or vinyl-laminated fabrics, or any type of rigid materials are permitted.
 - (l) Umbrellas shall be installed and maintained so as to provide pedestrian clearance by maintaining 7 feet of clearance from the ground to the lowest edge of the umbrella.
 - (1) The 7-foot minimum height includes not only the umbrella frame and panels, but also any decorative borders such as fringes, tassels, or other such ornamentation.
 - (2) No part of an umbrella may exceed a height of 9 feet above the surface of the outdoor dining area to avoid an undue visual obstruction of other businesses.
 - (m) Umbrellas shall be set back a minimum of 3 feet from the neighboring property measured from the outer most edge of the umbrella to the property line.
 - (n) Umbrellas must be free of advertisements or product names.
-

-
- (1) Umbrellas must not contain signage for the restaurant or for any other entity in the form of wording, logos, drawings, pictorial or photographic representations, or any other similar identifying characteristics.
 - (o) All parts of any umbrella (Including the fabric and supporting ribs) must be contained entirely within the outdoor seating area.
 - (p) Umbrellas must blend appropriately with the surrounding built environment.
 - (q) Umbrella fabric must be one solid color, and is not permitted to be a fluorescent or other strikingly bright or vivid color.
 - (r) Barriers made of walls, railings, fences, planter boxes, solid wood fences or concrete walls or a combination thereof are acceptable.
 - (s) Barriers shall be no taller than 4 feet in height, unless the barrier is preexisting and exceeds 4 feet in height or a barrier greater than 4 feet in height is required pursuant to another section of the Municipal Code or other codes. Railing and fencing must be constructed of metal, (aluminum, steel, iron, or similar) or wood and must be of a dark color (either painted or stained).
 - (t) To ensure their effectiveness as pedestrian control devices and their ability to be detected by persons with vision impairments, barriers must meet the following measurements:
 - (1) Planters may not exceed a height of 36 inches above the level of the sidewalk. Plants may not exceed a height of 108 inches (8 feet) above the level of the sidewalk.
 - (2) In the case of a rope or chain enclosure, the rope or chain must not exceed 27 inches above the sidewalk surface.
 - (3) All barriers must be detectable to visually impaired pedestrians who employ a cane for guidance. Therefore, the bottom of the barriers must be no greater than 27 inches above the sidewalk surface.
 - (4) Fences or other perimeter enclosures with a height of between 36 inches and 48 inches must be at least 50 percent open (see-through) in order to maintain visibility of street level activity. Any enclosure with a height over 48 inches must be at least 80 percent open (see-through).
 - (5) Any access opening within the barrier must measure no less than 44 inches in width.
 - (u) When abutting public property, a barrier may be in the form of open fencing, railing and /or landscape planters that must be a minimum of 3 feet, but not taller than 4 feet in height.
 - (v) If a barrier is moveable, it shall be affixed while the establishment is open for business. Rope or chain barriers are permitted. The rope or chain must have a minimum diameter of one inch. Vertical support posts must be constructed of metal or wood. A stanchion base shall not be domed, and shall not be more than one-half (1/2) of an inch above the surface of the floor.
 - (w) A stanchion or other vertical supporting member that has a base must not be a tripping hazard.
 - (x) No banners or signage shall be displayed on the barrier of an outdoor dining area or within the outdoor dining area other than the name of the establishment that may be placed on umbrellas or on the valance of an awning with an overhang not lower than 84 inches from the finished grade of the ground of the outdoor dining area.
 - (y) Portable heaters, if provided, shall be located a minimum of 4 feet away from the exterior face of the building and from any combustible materials, including architectural projections, or in accordance with manufacturer recommendations, whichever is most restrictive.
 - (z) Planters may be made out of wood, ceramics, stone, or high quality thick plastic planter boxes.
 - (aa) Planters shall contain live plant materials in healthy condition. Seasonal, thematic planter displays are encouraged. Stressed, dead, or dying landscape must be promptly replaced. Artificial plants; empty planters; or planters with only bare dirt, mulch, straw, woodchips or similar material are not permitted.
 - (bb) Planters shall have a self-contained watering reservoir system that prevents any leakage.
 - (cc) Illuminated outdoor dining areas shall incorporate lighting which shall be installed to prevent glare onto, or direct illumination of any public space or property or use.
-

-
- (dd) Lighting shall be mounted so that all wiring is concealed. Rope or string lights are allowed provided they are installed to the requirements of the Building Code and manufacturer's specifications. Spotlights and illumination for advertng are prohibited.

Sec. 106-1524. – Operating standards.

- (a) Outdoor dining shall be operated in a manner that meets all requirements of the Health Department of Los Angeles County and any other applicable regulations.
- (b) Exclusive of the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas city-wide shall be limited to the hours between 7:00 a.m. and 11:00 p.m., daily.
- (1) Within the Downtown District of the SP-5 zone, the hours of operation of outdoor dining areas shall be limited to the hours between 7:00 a.m. and 12:00 a.m., daily.
- (2) When the primary use requires a conditional use permit, the hours and days of operation of the outdoor dining area shall be identified in the approved conditional use permit.
- (c) An outdoor dining area may provide either waiter/waitress service or self-service.
- (d) The outdoor dining area shall be clean and free of litter at all times. Waste receptacles are encouraged.
- (e) Dining equipment (including, but not limited to, tables, chairs, space heaters, barriers) may remain in place when not in use if located on private property; dining equipment, if stored, may not be stored in an area visible from the public right-of-way or from any plaza area.
- (f) Live entertainment, television monitors, screens, dancing, pool tables, billiard tables, adult entertainment uses, and cover charges are prohibited in the outdoor dining area.
- (g) Food trucks are permitted with an approved conditional use permit pursuant to Division 4 of this Chapter.
- (h) Outdoor dining shall comply with the sound level limits of the associated eating establishment in accordance with San Fernando Municipal Code Chapter 34 Article II.
- (i) All forms of vaping, smoking and the use of tobacco products in the outdoor dining area shall comply with San Fernando Municipal Code Chapter 23.
- (j) Outdoor cooking is permitted in an outdoor dining area in compliance with the LA County Health Department, CA Building Code and City of LA Fire Code.
- (k) Establishments which propose to serve alcoholic beverages in the outdoor dining area shall comply with the standards established by the California Department of Alcoholic Beverage Control and shall update their approvals from said department to include the new outdoor dining area if necessary. The outdoor dining area shall be:
- (1) Physically defined and clearly part of the establishment it serves as an accessory use to; and
- (2) Supervised by a restaurant employee to ensure compliance with laws regarding the on-site consumption of alcoholic beverages.

Sec. 106-1525. – Denial, Revocation, or Suspension of Permit

- (a) Violations of the outdoor dining area standards may result in enforcement actions up to and including revocation of said permit and termination of use.

A violation of this chapter is subject to the administrative citation provisions of subject to SFMC Article III of this code.

Sec. 106-827. - Location of parking.

- (a) Parking spaces required for uses shall be located on the same lot as the use for which such spaces are provided. For nonresidential development, ~~a variance may be granted to allow~~ some or all of the required parking spaces ~~may~~ to be located off site if facilities and/or in-lieu fees determined by city council resolution are provided instead of the required parking spaces and with a City-approved Off-Site Parking

Plan. Conditions for granting ~~a variance~~ the Off-Site Parking Plan require findings that the Off-Site Parking Plan ~~variance~~ will be an incentive to, and a benefit for, the proposed nonresidential development and that a public transit facility is available for providing public transit patrons access to the nonresidential development.

- (b) A nonresidential off-street parking lot may be permitted in a residential zone if the parking lot is located immediately adjacent to or across an alley, street, or easement from a nonresidential zoning district.
- (c) Notwithstanding subsections (a) and (b) of this section, ~~only if parking for new development, change in use intensity resulting from an enlargement of an existing building footprint occurring in the central business district, as defined in the city's general plan, may take place on the same and/or a different site under the same or different ownership as the use served, provided that~~ the shared use of parking facilities may be permitted where particular uses or activities meet the following conditions:
 - (1) Parking facilities for any nonresidential use may share parking facilities with another use if no substantial conflicts exists in the principal operating hours of the uses proposed to share parking facilities;
 - (2) The maximum distance between the outer boundaries of the uses proposed to share parking facilities shall be ~~available parking is located within~~ 500 feet of ~~from~~ the uses being served, measured from the nearest corner of the parking facility to the entrances of the uses being served via the shortest pedestrian route; and
 - (3) The adjacent or nearby properties shall not be adversely affected by the proposed shared parking.
 - (4) Parking facilities used for off-site parking, except city parking lots, shall require a written agreement between property owners specifying the term of the agreement, the number of spaces to be ~~provided~~ required of each use proposing to share parking facilities and further documenting how the sharing arrangement will satisfy the parking needs of each affected use, and the location and layout of the parking facility represented on a site plan. The agreement shall be submitted to the director of community development ~~planning director~~ for approval before it is recorded in the official records of the county recorder's office, on title to the property where the off-site parking is being provided. A conformed copy of the recorded agreement shall be delivered to the Director of Community Development ~~planning director~~ prior to the issuance of a certificate of occupancy.
- (d) Notwithstanding subsections (a) and (b) of this section, managed or valet parking may be provided for all on-site or off-site parking subject to a Parking Plan approved by the Director of Community Development which shall include:
 - (1) An executed lease agreement for the use of the off-site vehicle parking area;
 - (2) A site plan prepared a by design professional indicating all site features, address and address of the property served by the parking, site ingress and egress location(s); proposed queuing location (if any) and the identified land uses; and the total parking spaces required and where provided;
 - (3) The hours and method of parking operation including vehicle storage and retrieval process;
 - (4) The number of parking attendants serving the parking facility; and
 - (5) Methods for vehicles storage and retrieval during non-operating hours.

*This Page
Intentionally
Left Blank*

*This Page
Intentionally
Left Blank*



AGENDA REPORT

To: Mayor Celeste T. Rodriguez, Councilmembers, and Planning and Preservation Commissioners

From: Nick Kimball, City Manager
By: Kanika Kith, Deputy City Manager/Economic Development
Erika Ramirez, Director of Community Development

Date: September 16, 2024

Subject: A Joint Public Hearing to Discuss Existing Conditions Analysis and Outreach Findings from Phase 1 of the Downtown Master Plan and Receive Input for Phase 2

RECOMMENDATION:

It is recommended that the City Council and the Planning and Preservation Commission:

- a. Conduct a public hearing to receive a presentation on the existing condition analysis and outreach findings from Phase 1 of the Downtown Master Plan; and
- b. Pending public testimony, provide direction to staff before starting Phase 2 of the Downtown Master Plan.

BACKGROUND:

1. On June 9, 2022, the City issued a Request for Proposals (RFP) to qualified consultants to prepare a Downtown Master Plan, which includes a Downtown Vision that will serve as a critical and important guide for future actions concerning change in Downtown San Fernando with an initial budget of \$50,000.
2. On July 19, 2022, seven (7) proposals were received from: The Arroyo Group, Dudek, RRM Design Group, HDL, Infrastructure Engineering, Los Angeles Neighborhood Initiative (LANI), and SWA Group. Costs ranged from \$50,000 to \$397,640.
3. On September 6, 2022, the City Council allocated \$250,000 from the American Rescue Plan Act (ARPA) for preparation of a Downtown Master Plan.
4. On September 22, 2022, all seven (7) consultants were informed of the additional allocation and were requested to provide a revised scope that was within the approved budget. It was

recommended that the revised scope and budget focus on high priorities such as community engagement and outreach, market analysis, financial and site analysis for opportunity sites, parking capacity and demand analysis, and design of the public realm.

5. On October 7, 2022, revised proposals were received from five (5) firms: Arroyo Group, Dudek, RRM Design Group, HDL, and Infrastructure Engineering. LANI and SWA Group did not submit revised scope and budget.
6. On January 3, 2023, the City Council created the Economic Development/Downtown Master Plan Ad Hoc Committee consisting of Councilmembers Montañez and Solorio to work with staff to move the City's economic development efforts forward.
7. On March 15, 2023, the Economic Development/Downtown Master Plan Ad Hoc Committee and staff interviewed four consultants (RRM Design Group, Dudek, Arroyo Group, HDL). Infrastructure Engineering declined the interview. RRM Design Group and Dudek were selected as the top two consultants and were invited to provide additional information. Based on innovative and proactive approaches tailored to engaging the community, realistic objectives, cost effectiveness, and schedule, Dudek was recommended to the City Council for consideration.
8. On April 17, 2023, the City Council approved a Professional Services Agreement with Dudek in an amount not-to-exceed \$313,975, for preparation of the Downtown Master Plan.
9. On July 17, 2023, the City Council approved a Community Outreach and Engagement Plan for the Downtown Master Plan (Attachment "A") that included the formation of a Community Advisory Committee. The approved Community Outreach and Engagement Plan changed the Scope of Work and reduced the total cost for the Downtown Master Plan to \$297,675, which is \$16,300 less than the original budget.
10. On October 2, 2023, the City Council discussed the formation of the Community Advisory Committee (CAC) for the Downtown Master Plan, agreeing to allow each Councilmember to recommend up to two (2) nominees for inclusion in the CAC.
11. On April 11, 2024, the first Community Advisory Committee (CAC) meeting was held with 14 appointed community members, representing residents, property/business owners, developers, and local community/neighborhood based organizations.
12. Between December 2023 and March 2024, a multimode survey was conducted via phone (landline and cell), text, and email that gathered input from a target of 300 participants. The methodology of this multimodal survey was developed in such a way to make it a statistically significant model.

13. From April to May 2024, an online survey was made available to the general public, which gathered input from 90 respondents.
14. On April 27, 2024, a first community event (“Walking Workshop”) was held at the Civic Center Parking Lot, consisted of a 1-mile walking tour of four (4) check-points throughout the downtown, and gathered input from approximately 40 participants.

ANALYSIS:

A Downtown Master Plan provides a platform for residents, business and property owners, local organizations, and other stakeholders the opportunity to share ideas and shape the future of Downtown San Fernando. Through this effort, the community will help define goals and priorities for economic development, setting the stage for a vibrant and thriving downtown.

The focus of the Downtown Master Plan is to identify the community’s vision for downtown’s economic vibrancy, including the type and scale of development needed to achieve that vision, as well the potential impacts. Ultimately, the goal is to create a community-driven plan that enhances downtown’s economic vitality, livability, and a sense of place. The Downtown Master Plan will be developed through a comprehensive visioning process that will involve extensive community input and participation. To achieve this goal, the Downtown Master Plan effort consists of four objectives:

1. Study the existing conditions in Downtown San Fernando;
2. Engage the San Fernando community;
3. Develop a community-driven vision for Downtown San Fernando; and
4. Recommend strategies for how to implement the community’s vision.

The Downtown Master Plan is being developed across three phases of work:

1. **Phase 1 – Discovery.** Phase 1 consists of analyzing the downtown, including identifying potential issues and opportunities across the broad topics of land use, mobility, economics, real estate, parking, the built environment, and the public realm. In this phase, the City engages the community for their concerns, ideas, and aspirations for the future via a survey and a walking workshop. Phase 1 commenced in July 2023 with the City Council approval of the Community Outreach and Engagement Plan. Analysis for Phase I has been completed and will conclude with this special joint meeting of the City Council and Planning and Preservation Commission.
2. **Phase 2 – Visioning.** Phase 2 will focus on developing three distinct vision scenarios for the future of Downtown San Fernando, incorporating key opportunity sites and conducting financial feasibility analysis for those opportunity sites. Recommendations will be made for enhancing the public realm, including streetscape design, public open spaces,

mobility solutions, and other features to support the envisioned future. An interactive, in-person model-building pop-up event will be held to engage the community in shaping the future of Downtown through a hands-on activities. Phase 2 has yet to start but will conclude with a second presentation at a joint meeting of the City Council and Planning and Preservation Commission, which is tentatively scheduled for March 2025.

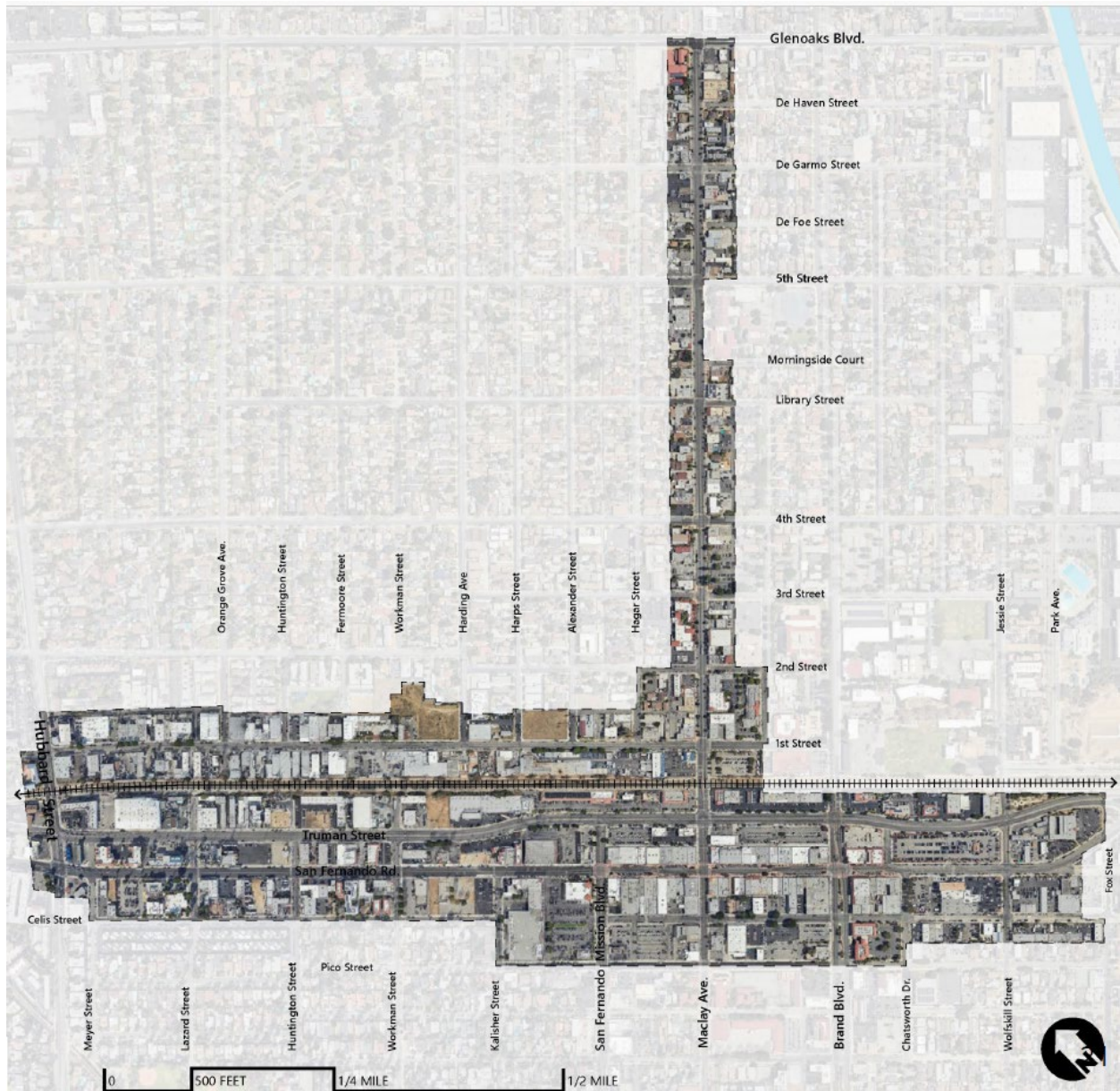
3. **Phase 3 – Preferred Vision.** Phase 3 consists of refining the community's preferred scenario from Phase 2 for the future of Downtown San Fernando. The resulting outcome will be a Downtown Master Plan, a planning document that will contain the community's vision of the downtown and an action plan for how best to achieve that vision. The Master Plan will be used by the City to guide future actions, such as changes to land use and development regulations, capital improvement projects, and other economic development programs to help revitalize Downtown San Fernando. Phase 3 has yet to start but will conclude with a public hearing each with the Planning and Preservation Commission and City Council for approval of the Downtown Master Plan. Public hearings are tentatively scheduled for May and June 2025.

The findings of Phase 1 of the Downtown Master Plan are being presented tonight. This includes the existing conditions analysis and the first phase of community outreach and engagement, as described in more detail below.

Built Environment Analysis

Dudek conducted a built environment analysis (Attachment "B") utilizing site observations and publicly available Geographic Information Systems (GIS) data and documents. The purpose of the analysis was to better understand the current conditions of the built environment in Downtown San Fernando to be able to identify key issues and opportunities for informing recommendations in the Downtown Master Plan. This analysis was conducted through the lens of history, land use, mobility, the public realm, policy, and development regulations. For purposes of this analysis, Downtown San Fernando as defined in Figure 1, along San Fernando Road from Hubbard Street to Fox Street and along Maclay Avenue from Pico Street to Glenoaks Boulevard.

Figure 1: Downtown Master Plan Area



Parking Analysis

Walker Consultants conducted a parking analysis (Attachment “C”) of a portion of Downtown San Fernando, a study area, as illustrated in Figure 2, along San Fernando Road from Hubbard Street to Fox Street and along Maclay Avenue from Fourth Street to Pico Street. The purpose of the analysis was to provide a baseline of current conditions as they related to parking to inform potential future development scenarios and recommended policy changes as part of the Downtown Master Plan. The analysis relied on field observations and data collection to analyze existing parking supply/inventory, occupancy, turnover/length, and demand relative to land use and location for both public and private parking facilities in the study area.

Figure 2: Parking Study Area



Market Analysis

HR&A conducted a market analysis of Downtown San Fernando, the City of San Fernando, and the North San Fernando Valley (Attachment “D”). The analysis focused on demographic changes, employment trends, and real estate data for both retail and multifamily residential uses. The purpose of the analysis was to identify opportunities and challenges related to the growth of the downtown to help inform the recommendations in the Downtown Master Plan.

Community Outreach and Engagement

Consistent with the goals and methods of the City Council approved Community Outreach and Engagement Plan (dated July 2023), Dudek executed a series of community outreach and

A Joint Public Hearing to Discuss Existing Conditions Analysis and Outreach Findings from Phase 1 of the Downtown Master Plan and Receive Input for Phase 2

Page 7 of 9

engagement tools, meetings, and events during Phase 1 of the Downtown Master Plan, as outlined below.

Inform Method:

- A project website (www.sfdowntownmasterplan.com) was made live in October 2023 and has received approximately 3,600 visits.
- Multiple social media posts have been made via the City's existing Instagram and Facebook accounts during the course of Phase 1.
- Flyers promoting the Downtown Master Plan, Walking Workshop, and associated community engagement activities has been provided at City Hall, handed out to local businesses, and shared with the public via email blasts and at multiple public events since April 2024.
- A flyer promoting the Walking Workshop on April 27, 2024 and online survey was delivered to all residential units and businesses in the City (9,700 residential flyers and 1,000 to businesses) in April 2024.
- Radio interview with Valley View San Fernando Valley Media in April 2024 to promote the Downtown Master Plan and engage the community by highlighting the upcoming Walking Workshop.

Consult Method:

- A multimode survey was conducted between December 2023 and March 2024 via phone (landline and cell), text, and email that gathered input from a target of 300 participants (Attachment "E").
- The first Economic Development/Downtown Master Plan Ad-Hoc Committee meeting was held on March 11, 2024, with Councilmembers Joel Fajardo and Mary Solorio.
- The first Community Advisory Committee (CAC) meeting was held on April 11, 2024, with 14 appointed community members, representing residents, property/business owners, developers, and local community/neighborhood based organizations. A second meeting for Phase 2 is planned to occur by February 2025 and a third meeting for Phase 3 is planned to occur by July 2025.
- An online survey was made available to the general public from April to May 2024, which was advertised on the project website, social media, flyers, informational mailer, and email blasts, which gathered input from 90 respondents.

Collaborate Method:

- First community event (“Walking Workshop”) was held on April 27, 2024, at the Civic Center Parking Lot, consisted of a 1-mile walking tour of four (4) check-points throughout the downtown, and gathered input from approximately 40 participants.

Summary of Findings from Phase 1

Each existing conditions analysis provides detailed information for the respective topics of the built environment, parking, and market. Each analysis concludes with its own detailed summary of findings. Likewise, the Existing Conditions Analysis and Outreach Findings presentation provided to the joint meeting of the City Council and Planning and Preservation Commission contain an overview of the feedback received from the community across all tools, meetings, and events conducted during Phase 1. A high-level summary of findings across all of these topics is provided below and will be discussed in more detail during the presentation at the joint meeting of the City Council and Planning and Preservation Commission.

- Downtown San Fernando is beloved for its historic, small-town charm by the community. It is special and rare – unlike any other place in the region.
- The community wants more entertainment, more dining, more improvements such as trees, beautification, and public spaces.
- The area around San Fernando Road, Truman Street, and Maclay Avenue offer the most strategic opportunities to fill in the “holes” of the built environment with vibrant new uses and amenities.
- There is sufficient total parking capacity throughout the Downtown, but some areas have higher demand than others. There are opportunities for better parking management to more evenly distribute demand.
- Downtown San Fernando’s influence stretches far beyond City limits. There are opportunities to capture demand throughout the North San Fernando Valley in retail and dining to create a vibrant destination that is beneficial to residents and visitors.

Next Steps – Phase 2.

The community will once again play a key role in shaping the future of Downtown San Fernando during Phase 2, where their input and preferences will guide the development of various scenarios. Phase 2 will kick off with a hands-on, model-building pop-up event, tentatively scheduled for January 2025. This interactive in-person event will invite participants to explore and share their visions for the downtown area through creative activities like model-building, storytelling, and collaborative play.

BUDGET IMPACT:

There is no fiscal impact associated with receipt and filing of this presentation. This presentation is included in the contract for the Downtown Master Plan, Contract No. 2147 with a total budget of \$297,675 (\$250,000 from American Rescue Plan Act (ARPA) Funds (121-151-3689-4270) and the balance of \$47,675 from the General Fund - Economic Development Division (001-107-0000-4270).

CONCLUSION:

It is recommended that the City Council and Planning and Preservation Commission conduct a public hearing to receive a presentation on the existing condition analysis and outreach findings from Phase 1 of the Downtown Master Plan, and provide direction to staff before starting Phase 2 of the Downtown Master Plan.

ATTACHMENT:

- A. Downtown Master Plan Community Outreach and Engagement Plan
- B. Built Environment Existing Conditions Analysis
- C. Existing Conditions Parking Analysis
- D. Market Analysis
- E. Multimode Survey Results

*This Page
Intentionally
Left Blank*