



REPORT to the LA MESA PLANNING COMMISSION

DATE: February 19, 2025

SUBJECT: PROJECT 2024-1915 (ESCOBEDO)

DESCRIPTION: A REQUEST FOR A SPECIAL PERMIT TO ALLOW FOR A FENCE TO EXCEED THE 4 FOOT MAXIMUM FENCE HEIGHT THAT IS ALLOWED WITHIN A FRONT YARD SETBACK BY 3 FEET 8 INCHES AND TO EXCEED THE 6 FOOT MAXIMUM FENCE HEIGHT ALLOWED OUTSIDE OF A FRONT SETBACK BY 1 FOOT 8 INCHES (FOR A TOTAL MAXIMUM FENCE HEIGHT OF 7 FEET 8 INCHES), AT 8020 EASTRIDGE DRIVE, APN 475-554-09-00 IN THE SUBURBAN RESIDENTIAL (R1S) ZONE

ISSUING DEPARTMENT: Community Development

SUMMARY:

Issue(s):

Should the Planning Commission approve a special permit for a fence that exceeds the 4-foot height limit in the front setback by 3 feet 8 inches and the 6-foot fence height limit outside the front setback by 1 foot 8 inches (for a total maximum height of 7 feet 8 inches)

Recommendation:

Adopt a resolution (**Attachment A**) approving the special permit subject to conditions of approval.

Environmental Review:

The project is exempt from environmental review in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15303, New Construction or Conversion of Small Structures, which allows for the construction and location of limited numbers of new, small accessory structures such as fences. The project

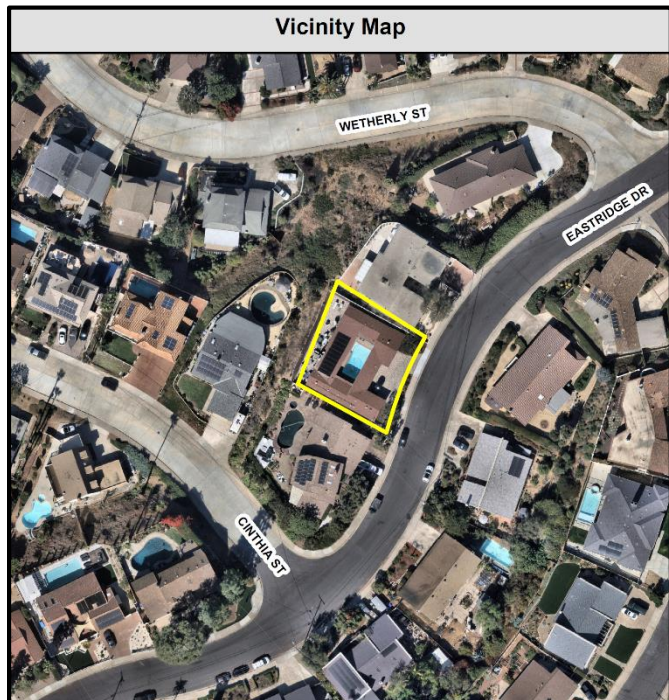
meets all conditions necessary to qualify for the exemption and none of the exceptions listed in Section 15300.2 apply.

**BACKGROUND:**

The subject property is located on the west side of Eastridge Drive between Cinthia Street and Wetherley Street in the hillside neighborhood of Eastridge. The approximately 8,700 square-foot site is developed with a single-story, single-family residence constructed in 1968, during the same period as surrounding residential lots. At the time of development, building sites were terraced using property line retaining walls, and the subject property sits approximately one foot higher than the adjacent property to the south at 8010 Eastridge Drive. A vicinity map is provided below.

In July of 2024, the City received a code compliance complaint about a new fence over 6 feet in height being erected between 8010 and 8020 Eastridge Drive. Upon investigation, it was determined that the fencing had been constructed in excess of the allowable height limits without benefit of a special permit.

The subject property is currently zoned Suburban Residential (R1S), which is a single-family residential zone with a front setback requirement of 20 feet. At the time of development, and until 1977, the neighborhood was zoned Urban Residential (R-1), also a single-family zone. Fence and wall height limits in residential zones are set forth in LMMC Section 24.05.0301. Included in those standards is a provision to allow an exception to exceed those height limits by special permit, where topographic or other conditions reduce the effectiveness of normal height fences for privacy. Upon consideration of findings of fact at a noticed public hearing, the Planning Commission may grant a special permit.



**DISCUSSION:**

In collaboration with the adjacent, downhill, neighbor to the south at 8010 Eastridge Drive, the property owner of 8020 Eastridge, contracted to have the subject 7 foot 8 inch wood

fence (the fence) constructed for the purpose of providing additional privacy between the two properties. The fence sits atop an existing stucco wall (further described below) that extends between the two properties along the shared property line. The fence consists of horizontal planks stained to a natural finish, set between metal posts approximately 6 feet apart, and measures 3 feet, 9 inches in height with shorter segments at each end measuring 2 feet 4 inches in height. The existing stucco wall on which the fence sits is comprised of a retained portion of 1 foot, 3 inches in height and a freestanding portion 3 feet 4 inches in height. A site plan, site section, and elevation view from 8020 Eastridge Drive is provided as **Attachment B**, and photographs are provided as **Attachment C**.

Under LMMC Section 24.05.030I., fences or walls within the minimum front setback for a principal building are limited to 4 feet in height and fences or walls in any other location are limited to 6 feet in height. The code also stipulates that the height of fences and walls, including any combination of freestanding fence or wall on top of a retaining wall, is measured from the midpoint between the finished surface grades on both sides of the fence or wall. Using this height measurement methodology, the additional height of the freestanding fence causes the combined height of the fence and wall to exceed the height limit. Within the front setback, the 4 foot height limit is exceeded by 3 feet, 8 inches, and beyond the front setback, the 6 foot height limit is exceeded by 1 foot, 8 inches.

*Required Findings for Special Permit Approval:*

The Planning Commission shall grant a special permit after consideration of the report and the public hearing only when the requirements of the applicable zone, state and local laws are met, and the following findings pursuant to LMMC Sections 24.05.030I and 24.02.050 are made. The findings to approve a special permit are supported by the evidence on the record as discussed below.

The location and characteristics of the proposed buildings and/or structures, and the allowed use of them, will not impact unfavorably upon adjacent properties.

The fence does not impact unfavorably upon adjacent properties. The fence is not highly visible from any adjacent property other than the neighboring site to the south, which is slightly downhill. The neighbor to the south, who would be most affected by the additional height, collaborated with the applicant to have the fence constructed atop the existing stucco wall, along the shared property line to provide additional privacy due to varying topography between the neighboring lots.

The project is consistent with the design objectives established as policy of the City Council.

The scale, placement, and materials of the fencing fits within the surrounding area and serves to promote the character of the neighborhood as a unique place to live (General Plan Land Use & Urban Design Element Objective LU-2.2). While there are no specific

design requirements for residential property line fencing, the fence exhibits high quality design using durable and decorative materials that complement the subject property and neighborhood. The fence was built using standard construction techniques and is located away from adjacent driveways where vehicular site distance is a safety concern, consistent with General Plan Land Use & Urban Design Element Objective LU-1.2 promoting safety for residents while preserving community identity.

*Public Notice of Project:*

Notice of the Planning Commission hearing to consider the special permit was mailed to surrounding property owners within 300 feet of the subject property and published in The Daily Transcript on February 7, 2025, in accordance with Municipal Code requirements. At the time of this report, no public comments on this request for a special permit have been received.

**CONCLUSION:**

Staff recommends adoption of a resolution (**Attachment A**) approving Project 2024-1915, subject to conditions of approval.

Respectfully submitted by:



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Reviewed by:



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Director of Community Development

Attachments:

- A. Draft Planning Commission Resolution
- B. Project Plans
- C. Photographs