

## EXHIBIT A

(Approved by the Planning Commission on  
September 18, 2003)

### *Planning Commission Policy*

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#### WATERFRONT FENCES IN THE 200 & 300 BLOCKS OF PORT ROYAL AVENUE AND 900 BLOCK OF CUMBERLAND COURT

Subject: Waterfront Fences in the 200 and 300 blocks of Port Royal Avenue and 900 block of Cumberland Court

Policy No.: 3-2003

Date of Planning Commission Approval: September 18, 2003

Effective Date of Policy: September 19, 2003

Background and/or Problem Statement:

The original developments along this section of the Marina Lagoon included low wood fences along the waterfront between the rear yards and the public pathway along the Marina Lagoon. Over time, as these fences have been replaced, staff has required in the Architectural Review permits for replacement fences, that the replacement fences be consistent with the original wood fences in their height, material and vertical picket design. The existing fences are 34"-36" when measured from finished grade on the waterfront side.

The property owner of 317 Port Royal, requested that the City consider allowing other materials for the fences. He proposed to use a combination brick and wrought iron fence. The Planning Commission discussed his request at the Planning Commission meeting on June 19, 2003 and directed staff to re-agendize the matter after notices had been sent to the affected property owners. The Commission was willing to consider allowing a wider variety of materials, but wanted to ensure the other affected property owners had an opportunity to voice their opinions.

Notices were sent to the fifty property owners along Marina Lagoon in the 200 and 300 blocks of Port Royal and 900 block of Cumberland Court, advising them of the Planning Commission meeting on September 18, 2003 to discuss changes in the current policy for replacement fences. Staff also mailed a copy of the staff report and agenda to these property owners

Purpose of Policy:

1. To establish a policy with respect to reviewing requests for replacement fencing for the single-family detached dwelling units in the 200 and 300 blocks of Port Royal Avenue and 900 block of Cumberland Court that can be consistently applied over time by staff of the Planning/Code Enforcement Division and Building Inspection Division which will result in the consistent and fair treatment of residents in the City and which can bring clarity to the review process.

2. To develop a set of criteria that will help to preserve and maintain the waterfront views from the single-family detached dwelling units and to preserve and maintain an attractive environment for the public using the path through this area.

POLICY: Requests for replacement fencing for a single-family detached dwelling unit in the 200 and 300 blocks of Port Royal Avenue or 900 block of Cumberland Court shall be subject to the following design criteria and review procedures:

- A. Fence Materials: Fence materials shall be limited to the following: redwood, cedar, brick, slumpstone, stucco, plaster, cement, wrought iron, or similar materials as determined by the Community Development Director. Additionally, clear tempered glass or clear Plexiglas shall be allowed on rear and side yards of waterfront properties only.
- B. Fence Height: The solid portion of the fence that is parallel to the Marina Lagoon shall be no taller than 36 inches from finished grade when measured from the waterfront side. Visually open portions of the fence consisting of wrought iron, glass or Plexiglas may extend up to 48 inches from grade. The portions of the fence on the side property lines between the house and the rear fence shall step down in height as they approach the rear fence, consistent with City policy for waterfront fences.
- C. Fence Location: The replacement fence shall be placed in the same location as the original fence or another location as approved by the Community Development Director.
- D. Review Process: Prior to construction, the property owner shall submit an application for Architectural Review, following the standard submittal requirements and process for all waterfront fences.