

## **RESOLUTION NO. 6649**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, SETTING FORTH FINDINGS FOR REQUIRED AMENDMENTS TO THE 2022 CALIFORNIA STATE BUILDING CODE RELATIVE TO LOCAL CLIMATIC, TOPOGRAPHIC AND GEOLOGIC CONDITIONS RELATING TO PERMITS FOR FENCES**

**WHEREAS**, California Health & Safety Code Section 18901 et seq. provides that the Building Standards Commission shall adopt a California Building Standards Code ("CBSC") based on specified uniform codes with input from various State Departments; and

**WHEREAS**, the City is required to adopt the CBSC and may make changes if certain findings are met; and

**WHEREAS**, on May 23, 2023, the City Council of the City of Gardena adopted Ordinance No. 1851 and sent a copy to the California Building Standards Commission ("CBSC"); and

**WHEREAS**, the City received a letter from the Commission regarding certain changes to the CBSC that were made which were not found to be acceptable; and

**WHEREAS**, the City Council would like to revise certain provisions of the Codes that it adopted in Ordinance No. 1851 consistent with the direction of the CBSC and make a corresponding change to the Zoning Code relating to fence permits as the language erroneously indicates that there is a separate permit required; and

**WHEREAS**, Health and Safety Code Section 17958.7 requires that the City Council, before making any modifications or changes to the CBSC, shall make an express finding that such changes or modifications are reasonably necessary because of local climatic, geologic, or topographic conditions;

**NOW, THEREFORE, THE CITY OF GARDENA, DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** A copy of Ordinance No. 1863 is attached hereto as Exhibit A.

**SECTION 2.** Findings Justifying Changes.

- A. The change to section 15.06.010 is in compliance with the direction received from the California State Buildings Commission.
- B. The changes to section 15.06.020, items 2 and 4 of Section 105.2 of the California Building Code and the changes to section 15.10.020, items 2 and 4 of Section 105.2 of the California Residential Code reducing the height of fences and

retaining walls which require permits are justified by the following local geological conditions. Gardena is prone to seismic activity due to the existence of active earthquake faults in the Southern California area. Due to the high geologic activities in this area, amendments are required to address and clarify special needs for structures in a seismically active area.

**SECTION 2.** The Community Development Department shall file copies of Resolution this Resolution with the California Building Standards Commission as required by Health and Safety Code Section 17958.7.

**SECTION 3.** The City Clerk shall certify to the passage and adoption of this resolution; shall cause the same to be entered among the original resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

**SECTION 4.** This resolution shall be effective immediately.

Passed, approved, and adopted this 9th day of January, 2024.

*Tasha Cerda, Mayor*

TASHA CERDA, Mayor

ATTEST:

*Mina Semenza*

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MINA SEMENZA  
City Clerk

APPROVED AS TO FORM:

*Carmen Vasquez*

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CARMEN VASQUEZ, City Attorney

Attachment:

Exhibit A – Ordinance No. 1863

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF GARDENA                )

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6649** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **9th day of January 2024**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS TANAKA AND FRANCIS, MAYOR PRO TEM  
HENDERSON, COUNCIL MEMBER LOVE, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

*Becky Romero*  
*fr* \_\_\_\_\_  
City Clerk of the City of Gardena, California

(SEAL)