

STAFF REPORT VARIANCE NO. 25-02

TO: Planning Commission

FROM: Community Development Department

DATE: July 15, 2026 (Regular Meeting)

CASE NO.: Variance No. 25-02
(CEQA Exemption Section 15301 (Class 1, Existing Facilities)).

REQUEST:

The applicant requests approval of Variance ("VA") No. 25-02 to authorize the installation of an eight-foot-high perimeter ornamental wrought iron fence surrounding an existing commercial retail property located at 6446 Telegraph Road (the "Property") within the Unlimited Commercial (C-2) zoning district (hereinafter, the "Project"). The proposed fence is intended to replace an existing perimeter fence currently situated along the property line.

To accommodate the Project as proposed, a Variance is requested from three separate development standards outlined in Commerce Municipal Code ("CMC") Section 19.09.060 (Fences, hedges, and walls):

- **CMC Section 19.09.060(A) – Maximum Fence Height:** Fences, walls, and hedges are limited to a maximum height of six feet. The proposed perimeter fence reaches eight feet in height, exceeding the code standard by two feet.
- **CMC Section 19.09.060(C) – Front Yard Setback:** Any fence, hedge, or wall located within a front yard must be set back at least five feet from the front property line. The proposed Project will replace the existing fence directly on the front property line, resulting in a zero-foot setback.
- **CMC Section 19.09.060(D) – Adjoining Front Yard Height Limitation:** Any fence, hedge, or wall located in a front yard that adjoins the front yard of an adjacent property shall not exceed three and one-half feet in height. Because the Project sits directly on the property line adjacent to an adjoining front yard space, it triggers a third variance requirement to exceed the stricter 3.5-foot threshold.

Consequently, the applicant requests approval of VA No. 25-02 to grant relief from CMC Sections 19.09.060(A), (C), and (D) to legally authorize the construction and maintenance of the proposed eight-foot-high fence layout.

LOCATION: 6446 Telegraph Road
Commerce, CA 90040
APNs: 6336-008-029

APPLICANT: Dana Son
1337 South Street, Suite 343
Cerritos, CA 90703

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission of the City of Commerce (“Planning Commission”) take the following actions:

1. Adopt PC Resolution No. 26-06 approving Variance (VA) No. 25-02 to allow an eight-foot-high perimeter wrought iron fence to replace the existing chain-link fence on the property line, thereby granting relief from the six-foot maximum height limitation, the five-foot required front yard setback, and the three and one-half foot adjoining front yard height limitation pursuant to Commerce Municipal Code Sections 19.09.060(A), (C), and (D), based upon the required findings and conditions of approval.
2. Direct staff to file a Notice of Exemption pursuant to the California Environmental Quality Act (“CEQA”) Guidelines Section 15301 (Class 1 – Existing Facilities).

PUBLIC HEARING NOTICE:

Public Hearing Notice was published in the Los Cerritos News on July 2, 2026, and mailed to property owners within 500 feet of the project site.

DESCRIPTION OF PROPERTY AND IMPROVEMENTS

The Project site is a regularly shaped parcel totaling approximately 89,733 square feet (2.06 acres), located on the southwest side of Telegraph Road between East Washington Boulevard and South Malt Avenue (see Exhibit A).

The Property is currently developed with a vacant, one-story, 30,460-square-foot commercial retail building originally constructed in 1952. Existing on-site improvements include a loading dock located on the northern portion of the property, paved surface parking, and perimeter landscaping.

Vehicular access to the Property is served by two existing driveways along Telegraph Road. The site is fully improved with standard concrete curb, gutter, and sidewalk along its entire street frontage.

Exhibit A - Location Map



SURROUNDING ZONES AND LAND USES

Direction	Existing Zoning	Land Use
Subject Property	C-2	Commercial
North	M-2 & C-2	Industrial & Commercial
South	M-2 & C-2	Industrial & Commercial
East	M-2	Industrial
West	M-2	Industrial

PROPOSED PROJECT

The applicant proposes replacing an existing six-foot-high chain-link perimeter fence with a new, eight-foot-high ornamental wrought iron fence surrounding the Property. Aside from the fence replacement, no structural changes are proposed for the existing vacant commercial building, on-site layout, parking areas, access points, or land use. The scope of the Project is strictly limited to this perimeter fencing upgrade.

The primary objectives of the new fence are to enhance site security for the vacant property and significantly improve its visual appearance along the Telegraph Road commercial corridor.

Because the proposed fence layout maintains the footprint of the existing fence on the property line but increases the structural height, it conflicts with three development standards in the Commerce Municipal Code. Accordingly, the applicant is requesting approval of VA No. 25-02 to grant relief from the following provisions:

1. **Height Limitation (CMC § 19.09.060(A)):** Code limits fences to a maximum height of six feet. The proposed fence is eight feet tall, requiring a two-foot height variance.
2. **Front Yard Setback (CMC § 19.09.060(C)):** Code requires a minimum five-foot setback from the front property line for any fence in a front yard. The proposed fence will sit directly on the property line, requiring a variance for a zero-foot setback.
3. **Adjoining Front Yard Restriction (CMC § 19.09.060(D)):** Code drops the maximum allowable fence height down to three and one-half feet when a front yard adjoins an adjacent property's front yard. Because the proposed eight-foot fence sits directly on the shared boundary line next to an adjoining front yard, a third variance is required to exceed this 3.5-foot restriction by four and one-half feet.

The proposed ornamental wrought iron material represents a substantial aesthetic upgrade over the existing chain-link material, blending improved security measures with a modernized, visually appealing streetscape.

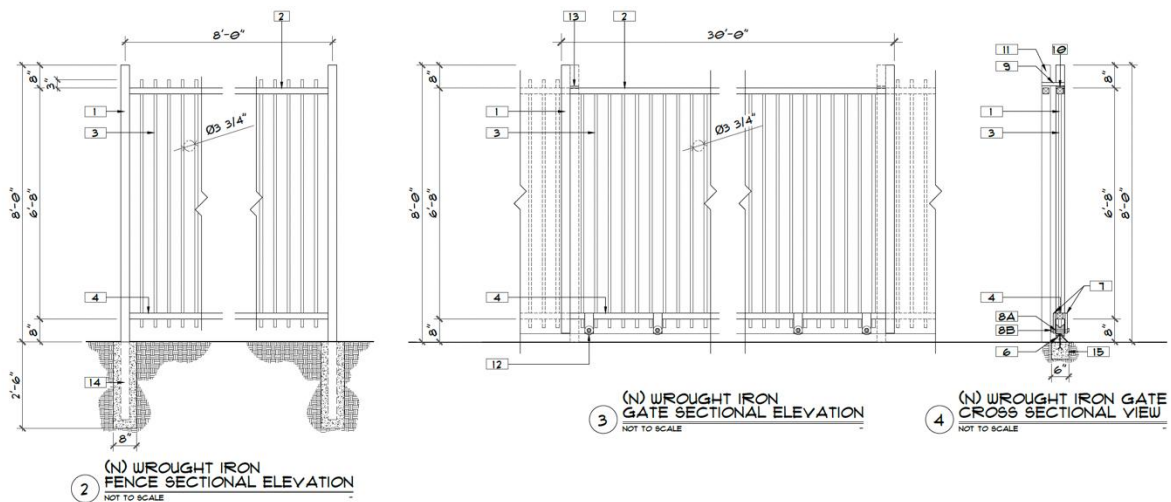
DESIGN AND MATERIALS

The proposed Project features the installation of an eight-foot-high ornamental wrought iron perimeter fence surrounding the commercial Property. The fence design intentionally balances the applicant's need for enhanced site security with the city's goal of maintaining an attractive, unobstructed streetscape.

Key design and material components of the proposed fencing include:

- The fence will be constructed from high-durability tubular steel/metal with a matte black powder-coated finish. This material and color are designed to provide a modern, clean look that complements both the existing commercial building and the architectural character of the surrounding Unlimited Commercial (C-2) zone.
- Unlike a solid masonry wall, the fence utilizes an open metal picket design. This preserves clear sightlines into the property from the public right-of-way (Telegraph Road), maintaining transparency, minimizing visual massing, and ensuring a welcoming streetscape appearance.
- The perimeter fence will align with the existing property boundaries and is engineered to clear all existing vehicular driveways and pedestrian walkways. It will not obstruct sight distances for exiting vehicles or interfere with public pedestrian circulation along the sidewalk frontage.

Overall, the architectural style and structural materials of the proposed fence are highly compatible with the commercial and industrial character of the surrounding corridor, offering a significant aesthetic upgrade over the existing chain-link fencing.



BACKGROUND AND SITE HISTORY

The Project site has been continuously utilized for retail commercial purposes since its original development in approximately 1952. The 89,733-square-foot (2.06-acre) parcel is located within an established commercial and industrial corridor along Telegraph Road and is surrounded by a stable mix of office, retail, and industrial uses. The on-site 30,460-square-foot commercial building is currently vacant.

According to documentation and a letter of justification submitted by the applicant, the Property has experienced persistent operational challenges due to its vacancy.

The site has been subject to multiple documented incidents of theft, property vandalism, and unauthorized trespass. The applicant indicates that these repeated break-ins have resulted in significant property damage, created ongoing safety and security liabilities, and acted as a primary deterrent to securing new commercial tenants to reoccupy the building.

To substantiate these claims, staff coordinated with the Los Angeles County Sheriff's Department to review local service logs. The provided law enforcement reports confirm a pattern of property crimes and security incidents at this location, validating the applicant's stated need for enhanced perimeter security measures to protect the asset and facilitate future economic occupancy.

DEVELOPMENT STANDARDS

The subject property is located within the C-2 (Unlimited Commercial) zoning district. Applicable development standards are governed by the CMC. The proposed Project consists solely of a deviation from the maximum fence height requirement and front yard setback.

The table below summarizes the applicable standard and the proposed deviation:

TABLE 1: DEVELOPMENT STANDARDS

C-2 Development Standards	Required	Proposed	Compliance
Maximum Fence Height (CMC Section 19.09.060(A))	6'-0" Maximum	8'-0"	Required Variance
Required Fence front yard Setback (CMC Section 19.09.060(C))	5'-0" Minimum	0'	Required Variance
Adjoining Front Yard Height (CMC Section 19.09.060(D))	3'-6" Maximum	8'	Required Variance

No other deviations from applicable development standards are proposed as part of this Project.

GENERAL PLAN CONSISTANCY

The City's Zoning Ordinance regulates land use and development within specific zoning districts that directly implement the goals and policies established by the City of Commerce General Plan. The Project site is zoned Unlimited Commercial (C-2), which is fully consistent with the General Plan's Commercial Land Use Designation under Section 3.3.2 (Commercial Development).

While fences are permitted accessory improvement within the C-2 zoning district, the proposed configuration requires the approval of Variance No. 25-02 to deviate from height and setback development standards. Granting this relief remains entirely consistent with the spirit, intent, and text of the General Plan, as the Project directly advances the following specific policies:

- **Community Development Policy - 2.4 – Commercial Area Preservation and Improvement:** Focuses on preserving and promoting the improvement of existing commercial areas, specifically including the Telegraph Road/Washington Boulevard area.
 - The Project directly aligns with this policy by representing a private investment into a vacant commercial asset within the Telegraph Road corridor, facilitating its rehabilitation and future reuse in a manner that improves the local commercial landscape.
- **Community Development Policy - 2.6 – Shopping District Security:** Establishes that the City will strive to improve security within existing and future shopping districts located in the City.
 - The Project directly implements this policy by installing an eight-foot security fence to secure a vacant commercial property that has experienced documented law enforcement calls for trespass and vandalism, thereby actively improving safety and protecting infrastructure within the local shopping district.

Because the Project secures a vulnerable commercial asset and upgrades the visual streetscape without altering the underlying permitted land use, the Project is fundamentally consistent with the City of Commerce General Plan.

VARIANCE ANALYSIS

The applicant requests approval of Variance (VA) No. 25-02 to authorize the installation of an eight-foot-high perimeter ornamental wrought iron fence at the Property. To execute the Project as proposed, the applicant requires relief from three development standards set forth under Commerce Municipal Code (CMC) Section 19.09.060:

1. **CMC § 19.09.060(A):** A two-foot increase beyond the maximum six-foot fence height limitation.
2. **CMC § 19.09.060(C):** Elimination of the required five-foot front yard setback to allow placement directly on the front property line (a zero-foot setback).
3. **CMC § 19.09.060(D):** Exceeding the three and one-half foot maximum height restriction for fences located along a boundary line adjoining an adjacent property's front yard by an additional four and one-half feet.

No other modifications to the C-2 (Unlimited Commercial) district development standards are proposed or requested under this application.

Pursuant to CMC Section 19.39.510, the Planning Commission has the authority to grant a variance only when specific, rigorous legal findings are met. In evaluating VA No. 25-02, staff has determined that the strict application of these zoning standards would impose practical difficulties and unnecessary hardships on the property owner due to site-specific operational conditions.

As detailed in the subsequent sections of this report, the requested variance is necessary for the preservation and enjoyment of a substantial property right—namely, the ability to secure and protect a vacant commercial asset. Furthermore, because the fence is designed with high-quality, open-picket ornamental materials rather than a solid wall, its approval does not constitute a grant of special privilege. It maintains structural and aesthetic compatibility with the established commercial and industrial character of the surrounding corridor.

ENVIRONMENTAL:

The proposed Project has been evaluated for compliance in accordance with the California Environmental Quality Act (CEQA; California Public Resources Code Section 21000 et seq.), the State CEQA Guidelines, and the City's established environmental review procedures.

Based on the limited nature and scope of the proposed improvements, staff has determined that the Project qualifies for a Categorical Exemption pursuant to Section 15301 (Class 1 – Existing Facilities) of the State CEQA Guidelines.

The Class 1 exemption specifically applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, or mechanical equipment involving negligible or no expansion of an existing use. The Project consists strictly of the replacement of an existing, six-foot-high perimeter chain-link fence with a new, eight-foot-high ornamental wrought iron fence and associated minor improvements necessary for its structural installation.

The Project involves only a minor physical alteration to an already developed commercial site. It does not propose any expansion, intensification, or modification

of the underlying commercial retail use. Furthermore, none of the exceptions to categorical exemptions outlined in CEQA Guidelines Section 15300.2 apply to this Project. Accordingly, the installation of the fence will not result in a significant impact on the environment, and the filing of a Notice of Exemption (NOE) is the appropriate environmental determination.

CONCLUSION:

The proposed Project involves the installation of an eight-foot-high ornamental wrought iron perimeter fence surrounding the existing commercial retail property located at 6446 Telegraph Road. To accommodate the fence as designed, the applicant requires approval of Variance (VA) No. 25-02, granting relief from the City's fence height, front yard setback, and adjoining property line height limitations.

The Project is highly compatible with the surrounding commercial and industrial corridor along Telegraph Road. By replacing a degraded chain-link fence with a high-quality, open-picket ornamental structure, the Project balances aesthetic improvements with essential security upgrades. This security enhancement is firmly supported by local Sheriff's Department incident logs, which substantiate the site's vulnerability while vacant. Crucially, the fence upgrade secures the property without altering the underlying commercial retail use or increasing development intensity.

Based on the comprehensive findings, environmental exemptions, and analysis presented throughout this report, staff concludes that the legal thresholds for a variance have been met. Therefore, staff respectfully recommends that the Planning Commission approve Variance No. 25-02, subject to the attached resolution and conditions of approval.

Prepared by: Juan Galvan, MPA
Contract Planner

Reviewed by: Jessica Serrano
Director of Community Development

Reviewed by: Araceli Almazan
Deputy City Attorney

ATTACHMENTS: A) Architectural Plans.
B) PC Resolution No. 26-06 – VA No. 25-02.