



## Fence Requirements

### 18.15.040 Fences and Walls

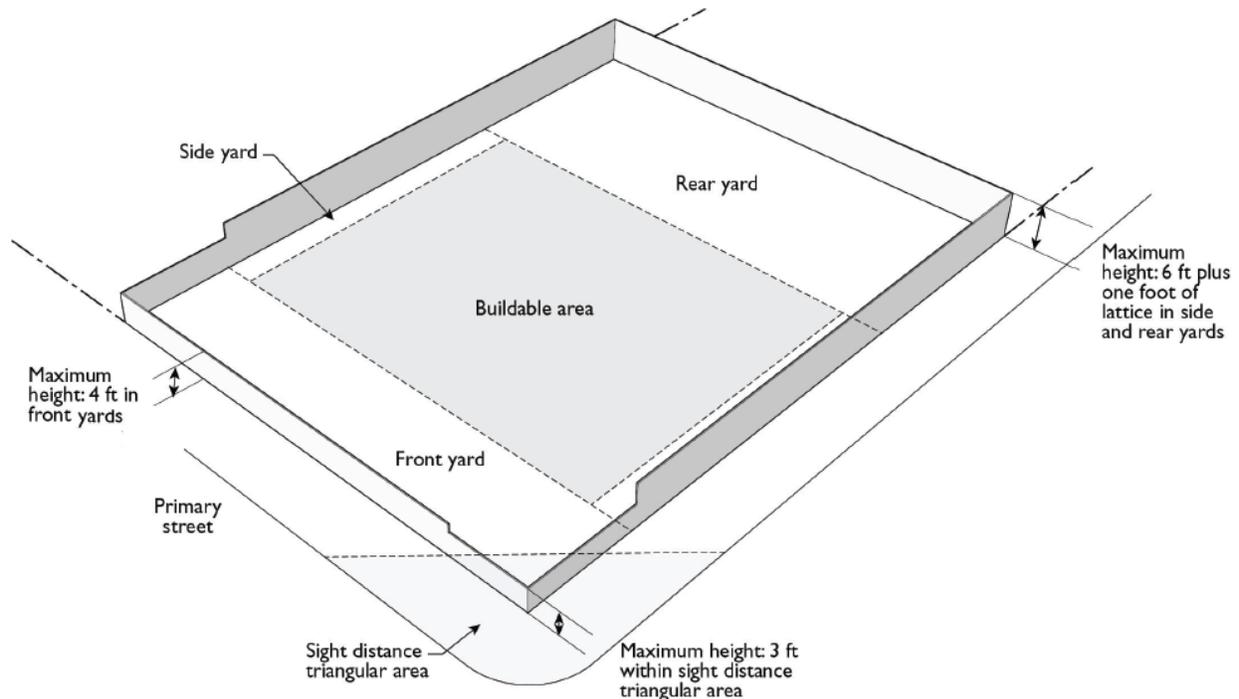
Fences, walls, dense hedges, and similar structures shall comply with the standards of this section.

- A. Purpose.** To provide residents with greater security and protected outdoor living space through fencing of property while allowing light, views, access and visibility for the health, safety and welfare of the citizenry. Limitations on fencing also serve to maintain the aesthetic value of the City.
- B. Standard Fences—Height, Regulation, and Exceptions in Residential Districts.**
1. **Front Yards.** No fence, wall, hedge or screen planting of any kind located between the front property line and the front-most wall of a residence establishing an existing front setback (or the required front setback, whichever is less) shall be constructed, grown or maintained to exceed 4-feet in height. Front yard fences within the sight-distance triangular area shall not exceed 3-feet in height unless an exception is obtained pursuant to Section 18.15.040(C)(14). This provision shall not apply to the following items, provided that such amenities do not significantly obstruct vehicular or pedestrian visibility or significantly obscure light and views to adjacent properties:
    - a. Specimen trees or shrubs that do not form a continuous barrier;
    - b. Light poles, pillars or pilasters (not to exceed six feet in height and 18-inches in width);
    - c. Front yard fence posts with attached lights (not more than two permitted; posts not to exceed 4-feet in height and 18-inches in width and depth plus a 2-foot high light fixture);
    - d. Gates no higher than 4-feet in height and 4-feet in width for pedestrian gates; 14-feet in width for driveway gates;
    - e. Trellises used for pedestrian purposes (not to exceed 8-feet in height, 5-feet in width and 5-feet in depth);
    - f. One mailbox structure not to exceed 6-feet in height;
    - g. Up to three statuary structures not to exceed 4-feet in height, 2-feet in width, and 2-feet in depth each; and
    - h. Other structures which the Director determines are of a similar nature.
  2. **Rear and Side Yards.** Fences located between the front-most wall establishing an existing front setback (or the required front setback, whichever is less) and the side or rear lot line, shall not be constructed, grown or maintained to exceed 6-feet in height plus 1-foot of lattice. If the fence falls within a corner lot or driveway area, the fence must also meet the requirements of Paragraph 4, Corner Lots.
  3. **Corner Lots.** Fences shall be a maximum of 3-feet in height within the sight distance triangle, unless an exception is obtained from the Building Official as outlined in Section 18.15.040(C)(14). Trees, or any portions thereof, that are located within this sight distance triangle shall have a clearance of 7-feet high minimum between the lowest portion of the canopy and the sidewalk, and 13-feet high minimum between the lowest portion of the canopy and street.



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**FIGURE 18.15.040-B: FENCE AND WALL HEIGHT**



- C. Special Fences—Height and Regulations.** Special fences are subject to review and approval by the Director, who may impose reasonable conditions or restrictions including, but not limited to, neighbor notification, setbacks and landscape screening as deemed necessary to ensure compatibility of the special fence with adjoining lots and those in the general vicinity, and may require guarantees and evidence that such conditions are being, or will be, complied with. Special fences include, but are not limited to, the following:
- Recreation Area Fence.** Fences not to exceed 12-feet in height may be located around tennis courts, badminton courts, basketball or volleyball courts and similar play areas, providing that all parts of the fence over six feet are made of open-wire construction or other corrosion-resistant material;
  - Security Fences.** Fences not to exceed 8-feet in height may be located around industrial, manufacturing or research uses where required for security purposes, screening, or containing and protecting hazardous materials;
  - Swimming Pool Fences.** Fences required for swimming pools are governed by San Carlos Municipal Code Chapter 15.40, Swimming Pools, and Section 18.15.100, Swimming Pools and Spas. Swimming pool fences are not subject to Director approval unless they exceed the standard fence height regulations stated in Section 18.15.040(B);
  - Abutting Nonresidential Fences.** Where residential properties abut industrial or commercial areas, or public property other than a public street, fences may be constructed to a height not to exceed 8-feet, and meeting minimum site distance triangle requirements;
  - Trellises used for pedestrian purposes exceeding 8-feet in height, 5-feet in width and 5-feet in depth;



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- f. Statuary structures exceeding the exemption limit of three structures and/or exceeding 4-feet in height and 2-feet in depth;
- g. Fence posts greater than 18-inches in width or depth;
- h. Front yard fence posts with more than two attached lights. In no event shall such posts exceed 4-feet in height plus a 2-foot high light fixture;
- i. Chain link fencing in residential areas is permitted in the side and rear yards with vinyl-coating and landscape screening. Chain link fencing shall not exceed 6-feet in height in these areas. Chain link fencing in front yards in residential areas is not permitted;
- j. Fences not to exceed 6-feet in height with an additional 1-foot of lattice for any portion of an irregular lot between the house and property line adjacent to the public right-of-way;
- k. Fences not to exceed 6-feet in height with an additional 1-foot of lattice for any portion of a lot 200-feet in depth or greater between the house and property line adjacent to the public right-of-way. Such fences shall not be located closer than 15-feet to the front property line;
- l. Fences not to exceed 6-feet in height with an additional 1-foot of lattice within front yards when not located in front of a primary residence and not closer than 15-feet to a front property line;
- m. Gates exceeding 4-feet in width for pedestrian use or 14-feet in width for driveway use;
- n. Exceptions to sight distance triangles if the necessity for the fence outweighs concerns for public safety as determined by the Building Official;
- o. Other structures which the Director determines are of a similar nature.

**D. Prohibited fences.** The following types of fences are prohibited:

1. Barbed wire or razor wire, except the use of barbed wire fencing may be permitted for security purposes in Industrial Districts at the top portion of a fence at least 6-feet in height upon approval of a Conditional Use Permit;
2. Electrically charged fences;
3. All wire, twine or rope fences consisting of one or more strands;
4. Fences constructed or maintained in the public right-of-way without an encroachment permit;
5. Fences constructed or maintained closer than 3-feet to any fire hydrant;
6. Fences constructed or maintained so as to sag or lean;
7. Dilapidated fences;
8. Fences creating a safety hazard to motorists and/or pedestrians;
9. Construction fencing where no valid Building Permit exists; and



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10. Chain link fencing in front and corner side yards in Residential Districts

- E. Fencing in Commercial Zoning Districts.** All fencing over 6-feet in height within commercially zoned districts shall be subject to review and approval by the Director. In no case shall fencing exceed 8-feet in height.
- F. Fencing in the Public Right-of-Way.** All fencing in the public right-of-way requires an encroachment permit from the City Engineer and shall be subject to all requirements of this chapter, in addition to those of the Public Works Department.
- G. Building Permit and Staff Approval Requirements.**
1. No person shall erect, construct or maintain any solid fence or wall exceeding 6-feet in height (exclusive of lattice) without first obtaining a permit from the Building Division.
  2. No person shall erect, construct or maintain fences in combination with retaining walls of any height without first obtaining a permit from the Building Division.
  3. No person shall erect, construct or maintain pressure treated wood retaining walls over 3-feet tall without first obtaining a permit from the Building Division. Walls 3-feet and under must have backfill no steeper than 2:1.
  4. No person shall erect, construct or maintain concrete or masonry retaining walls over 4-feet tall, measured from the bottom of the footing to the top of the wall without first obtaining a permit from the Building Division.
- H. Nonconforming Fences and Vegetation.** Nonconforming fences and vegetation shall comply with the following:
1. All existing nonconforming fences and walls in the public right-of-way shall be immediately removed or otherwise made to conform to Ordinance standards.
  2. Any shrubs, trees or other foliage which, in the opinion of the Chief of Police, obscures safe sight distance from driveways and corners shall be trimmed by the property owner to a condition satisfactory to the Chief of Police.
  3. Any other existing legally nonconforming fence may remain, provided that it is not replaced as defined in Section 18.41.020, Definitions, or constitutes as hazardous condition as determined by the Building Official.