

# ARTICLE 6.00

## Walls and Fences

### **Section 6.01 Obscuring Walls and Fences**

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Where permitted or required by this Ordinance, obscuring walls and fences shall be subject to the requirements in this Section. An obscuring wall or fence is one where more than fifty (50%) percent of the vertical surface is opaque so as to obstruct vision or prevent observation of activities enclosed in the fence.

#### **A. Location**

Required obscuring walls and fences shall be placed inside and adjacent to the lot line except in the following instances:

1. Underground Utilities

Where underground utilities interfere with placement of the wall at the property line, the wall shall be placed on the utility easement line located nearest the property line.

2. Front Setback Requirements

Where this Ordinance requires conformance with front setback standards in the R-1 and R-1-S districts, the Planning Commission may modify or waive the wall or fence requirements provided the intent of this Section is complied with.

#### **B. Time of Construction**

Wherever construction of an obscuring wall or fence is required adjacent to residentially zoned or used property, the wall shall be installed prior to the beginning of site grading and general construction, except where such activity would result in damage to the wall or fence, in which case the wall or fence shall be constructed as soon as feasible after construction commences.

#### **C. Wall and Fence Specifications**

For the uses and districts listed below, an obscuring wall or fence shall be provided as specified along property lines that abut a lot in an R-1, R-1-S, RR, RE or AG-SF district or a lot in any zoning district that is used for residential purposes. The height of the wall or fence shall be measured from ground level adjacent to the wall or fence, provided that fill shall not be permitted for the purpose of achieving a higher fence than otherwise would be permitted.

#### **Wall and Fence Specifications (see Section 6.01, sub-section C)**

Proposed Use	Wall or Fence Height Requirements	
	<i>Minimum</i>	<i>Maximum</i>
Any Off-Street Parking, including P-1, Vehicular Parking District	4.5 feet	6.0 feet
Office or Commercial District	4.5 feet	6.0 feet
Industrial District	6 feet, or minimum required to completely screen storage, loading, and service areas	8.0 feet
Utility Buildings, Substations	6.0 feet	6.0 feet

**D. Substitution or Waiver**

As a substitute for a required obscuring wall or fence, the Planning Commission may, in its review of the site plan, approve the use of other existing or proposed living landscape features (such as closely spaced evergreens) that would produce substantially the same results in terms of screening, durability, and permanence. Any such substitute screening shall comply with the applicable requirements in Section 5.02.

The Planning Commission may waive the requirements for an obscuring wall or fence upon making the determination that:

1. The adjoining residential district is in transition and will become nonresidential in the future, or
2. Existing physical features provide adequate screening, or
3. The abutting residential district is a sufficient distance (at least two hundred (200) feet) from the area or district to be screened so that the Planning Commission determines the screening is unnecessary to meet the intent of the Ordinance, or
4. The abutting residential district is separated from the area or district to be screened by an arterial or collector road.

**E. Non-Required Fences in Non-Residential Districts**

Fences, other than required obscuring walls and fences, shall be permitted in non-residential districts, subject to the following conditions:

1. Location

Fences shall be permitted in the rear or side yard of non-residential districts, provided that no fence shall extend closer toward the front of the lot than the portion of the principal structure closest to the front lot line. These restrictions shall not apply to agricultural uses.

2. Height

Fences in non-residential districts shall not exceed eight (8) feet in height.

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**Section 6.02 Fences and Walls in Residential and Agricultural Districts**

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**A. Fences in the R-1, R-1-S, MHP, and RM-1 Districts**

Fences in the R-1, R-1-S, MHP and RM-1 Districts may be located in the required front, side or rear yard subject to the following requirements:

1. Maximum Height

The maximum height shall be six (6) feet for fences located in the rear or side yard. The maximum height shall be three (3) feet for fences located closer to the road than any portion of the principal dwelling. (See graphics.)

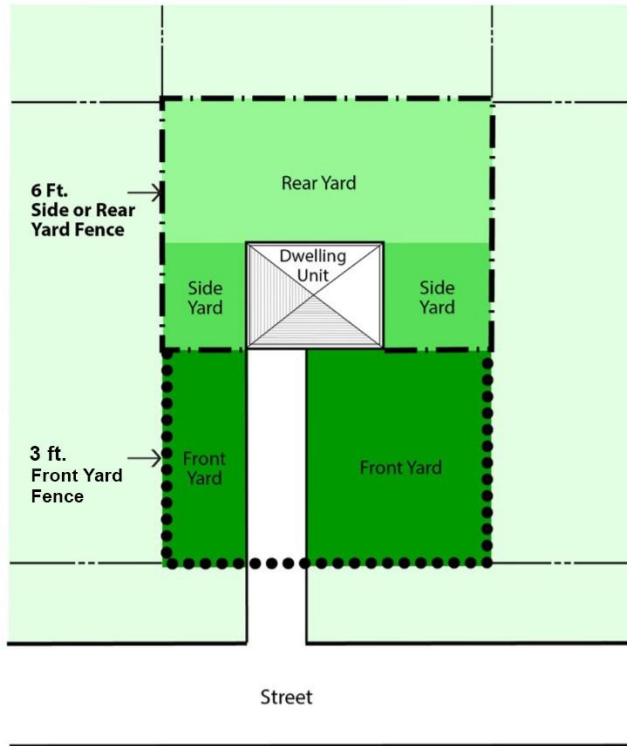
2. Fence Design

Fences in the front yard shall be non-obscuring (i.e., less than 50% opaque) in design.

3. Fences on Corner Parcels

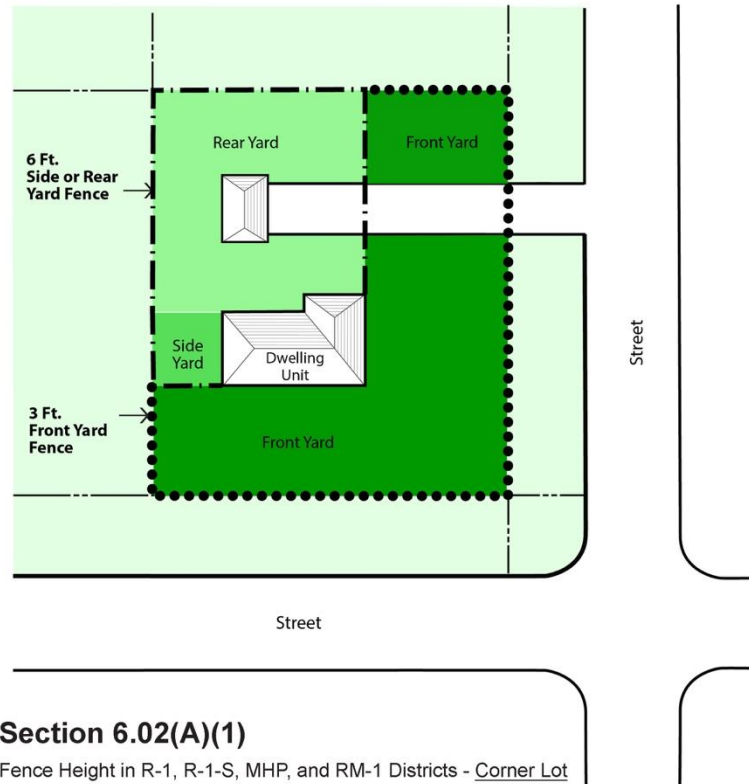
On corner lots the following regulations shall apply on the side yard facing a road:

- a. A six (6) foot high fence shall be permitted provided it does not extend closer to the street than the portion of the principal dwelling closest to the street.
- b. A thirty (30) inch high fence may be erected in the setback area, provide that any such fence shall be non-obscuring in design.



**Section 6.02(A)(1)**

Fence Height in R-1, R-1-S, MHP, and RM-1 Districts - Interior Lot



**B. Fences in the RR, RE, AG-SF, and AG-C Districts**

Fences in the RR, RE, AG-SF, and AG-C Districts may be located in the required front, side, or rear yard subject to the following requirements:

1. Maximum Height

The maximum fence height shall be six (6) feet, except that fences located within the required front setback shall not exceed five (5) feet in height.

2. Fence Design

Fences in the required front setback shall be non-obscuring (i.e., less than 50% opaque) in design.

3. Electric Fence Setback

Electric fences in agricultural areas shall be set back at least eighteen (18) inches from all property lines.

**C. Fences in Public Areas**

1. Fences that enclose public parks, playgrounds, or similar public areas located within a developed residential area shall not exceed six (6) feet in height, measured from the surface of the ground. No greater than twenty-five (25) percent of the vertical surface of such fences shall be opaque so as to obstruct vision.
2. Fences designed as part of a recreational structure (e.g., ball field backstops, tennis court enclosures) shall be exempt from the height limitation required above.

**D. Walls in Residential and Agricultural Districts**

Walls shall be permitted only in the side or rear yards of residential and agricultural districts, subject to the following requirements:

1. General Standards

The maximum wall height shall not exceed six (6) feet, measured from ground level adjacent to the wall, provided that fill shall not be permitted for the purpose of achieving a higher wall than otherwise would be permitted.

2. Walls on Corner Parcels

On corner parcels, walls shall not be permitted to extend closer to the road than any portion of the principal building.

**E. Entranceway Structures**

1. Entrance to Residential Developments

Residential subdivision entranceway structures, such as walls, columns or gates which mark the entrance to a single family subdivision or multiple family development, shall be permitted in the required setback area, provided that:

- a. Entranceway structures shall not exceed eight (8) feet in height and forty-eight (48) square feet in size.
- b. Entranceway structures shall not be located in the existing or planned right-of-way.
- c. Approval of the Building Official and issuance of a building permit shall be required prior to construction.
- d. Such structures shall not restrict emergency vehicle access.

2. Entrances to Individual Residential Parcels

Residential entranceway structures, such as walls, columns or gates shall be permitted to mark the entrance to individual single family residential parcels, subject to the following conditions:

- a. Entranceway structures shall not exceed four (4) feet in height and eight (8) feet in length.
- b. Entranceway structures shall be permitted in the required setback area, provided they are not located in the existing or planned right-of-way.
- c. Entranceway structures may include a gate which shall not exceed the height standards for front yard fences in the district in which the structure is located.
- d. Approval of the Building Official and issuance of a building permit shall be required prior to construction.
- e. Such structures shall not restrict emergency vehicle access.

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**Section 6.03     General Fence and Wall Standards**

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**A. Corner Clearance**

Walls and fences shall comply with the specifications for maintenance of Unobstructed Sight Distance for drivers, Section 2.09.

**B. Wall, Fence and Gate Materials**

Walls shall be constructed of masonry material that is architecturally compatible with the materials used on the facade of the principal structure on the site, such as face brick, decorative block, or poured concrete with simulated brick or stone patterns.

Fences shall consist of materials commonly used in conventional fence construction, such as wood, vinyl or plastic, and metal. Razor wire shall not be permitted. Fences that carry electric current shall be permitted only in conjunction with an agricultural use, provided that any such fence shall be set back at least 18 inches from all property lines. Barbed wire may be permitted in non-residential districts, provided that the barbed wire is at least six (6) feet above the ground, except in the Commercial-Agricultural District, where barbed wire is permitted up to a height of six (6) feet. Wood

fences shall be constructed of redwood, cedar, or an appropriate grade of pressure-treated wood. Chain link fences shall not be permitted for screening purposes.

**C. Finished Appearance**

If one side of a fence or wall has a more finished appearance than the other, then the side of the fence or wall with the more finished appearance shall face the exterior of the lot. This requirement shall not apply to land used for agriculture and on residential lots greater than two (2) acres outside of a subdivision plat or site condominium.

**D. Obstruction to Use of Adjoining Property**

No fence or wall shall be erected where it would prevent or unreasonably obstruct the use adjacent property, nor shall a fence or wall be erected where it would obstruct or prevent the continued safe use of an existing driveway or other means of access to adjacent property. In enforcing this provision, the Building Official may require a fence or wall to be set back a minimum distance from a driveway or property line.

**E. Fence and Wall Maintenance**

Fences and walls shall be maintained in good condition. Rotten, crumbled or broken components shall be replaced, repaired, or removed. As required, surfaces shall be painted, stained, or similarly treated.