Fence Standards

Community Development Department
Planning Division

Do I Need a Planning Permit?
- For R-E, R-1, R-2, and R-3 districts, if in compliance with this handout – no;
- For C-1, C-2, C-3, CO, CR-I-R, VAF, O, P, and PC districts, an architectural review application is required and is subject to applicable governing document(s) (e.g. Use Permit, Specific Plan, Conditions, etc.);
- A Variance and/or Use permit is required if the fence would not be in compliance with the standards of this handout (e.g. most front yard fences over 4 feet, most proposed fences over 6 feet, retaining walls over 6 feet in height, etc.);
- A Historic Permit is required if the fence would be located within the H-1, H-2, or H-D zoning overlay areas

Do I Need a Building Permit?
- If your fence would exceed 7 feet in height, a Building Permit is required. *California Building Code Section 105.2.2*

Existing Fence Height Standards - Summary Table

<table>
<thead>
<tr>
<th>Example</th>
<th>Location</th>
<th>Zone District:</th>
<th>Maximum Fence Height Allowed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Front fences (any in front setback)</td>
<td>R-E, R-1, R-2, R-3</td>
<td>4 feet 4 feet 3 feet</td>
</tr>
<tr>
<td>B</td>
<td>Side fences within setback area</td>
<td>C-1, C-2, C-3, CO, CR</td>
<td>4 feet 4 feet 3 feet</td>
</tr>
<tr>
<td>C</td>
<td>Corner lot sight distance</td>
<td>4 feet</td>
<td>-</td>
</tr>
<tr>
<td>D</td>
<td>Side yard fences facing a street of a reversed corner lot</td>
<td>4 feet</td>
<td>4 feet 3 feet</td>
</tr>
<tr>
<td>E</td>
<td>Side yard fences facing a street of a standard lot</td>
<td>6 feet</td>
<td>6 feet 8 feet</td>
</tr>
<tr>
<td>F</td>
<td>All other interior side and rear fences</td>
<td>6 feet</td>
<td>6 feet 8 feet</td>
</tr>
</tbody>
</table>

*a Fence standards in the VAF, O, P, and PC districts are subject to their applicable governing document (e.g. Use Permit, Specific Plan, Conditions, etc.).
*b Additional regulations applicable to all R and C districts are summarized under “Fences and Retaining Walls” in this handout. For instance, a combined fence plus retaining wall height maximum of 8 feet is allowed. See 38-26 E & Sec. 38-33 B.
*c Corner lot fences or walls in R districts are reviewed by the City’s Traffic Engineer. On corner lots, there shall be no visual obstruction at the intersection caused by fences or walls, which could constitute a traffic hazard within an area defined by a corner cut-off line between two points, each measured 30 feet horizontally along the front and side property lines from the point of intersection of said property lines at the street corner.

If you have any questions regarding the information in this document, please contact the Planning Office at (831) 646-3885.
Fences and Retaining Walls in Residential Zone Districts (R-1, R-2, R-3)

- In no case may a fence exceed 6 feet in height.
- The combined height of a retaining wall and a separate fence on a property line shall not exceed 8 feet unless the fence is set back from the retaining wall a minimum of half the distance of the required setback but no more than 5 feet.
- If a fence is on one property and the retaining wall on the abutting property, the maximum fence height is 6 feet regardless of the retaining wall height.
- Any retaining wall over 6 feet in height located in a required yard shall require a Use permit.

Fence Variance Findings

A Variance is a request to deviate from the City’s adopted development standards. They are intended to resolve unnecessary physical hardships that may result from the existing constraints or unique issues of a property. If a proposed fence would not meet City standards, a Variance must be granted. A Variance can be applied for through Planning staff.

Once an application for a Variance has been deemed complete by City staff, the Variance will be considered by the City’s Zoning Administrator or Planning Commission. The Zoning Administrator or the Planning Commission must make clear and substantive findings when approving a Variance. Failure to make defensible Findings will result in denial of the application.

The findings for a Variance are as follows. *Sec. 38-161.B*

1) That, because of special circumstances or conditions applicable to the subject property (including size, shape, topography, location, or surroundings), strict application of the requirements of this ordinance deprive such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
2) That granting the application will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare; and
3) That granting the application is consistent with the purposes of this ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

In addition to Findings 1 through 3 above, findings for a fence Variance must also include the following Findings (4) and (5). *Sec. 38-153.C.8 & Sec. 38-153.C.7.c*

4) There is physical hardship with one of the following:
   a) The topography of the site; or
   b) Trees or rocky outcroppings on the site or in the immediate vicinity; or
   c) The irregular, non-rectangular shape of the site; or
   d) The non-conforming lot width/lot depth dimensions of the site; or
   e) The location of existing structures on site.
5) One or more of the following determinations can be made:
   a) There is significant grade difference where the house is lower than the street; or
   b) The property adjoins or is across from a commercially zoned property; or
   c) The fence does not appear as a visual barrier and does not impede the sight line for vehicles.

Historic Resources

- At a historic resource within the H-1 Landmark Overlay, H-2 City Historic Resource Overlay, or H-D Historic District Overlay, the exterior of a structure or property (including fencing) may not be altered without first obtaining a Historic Permit. *Sec. 38-75.G.2.a & Sec. 38-76.G.2.a*
- Alterations (including fencing) must be reviewed by the Public Works Director and confirm compliance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties at the following three types of historic properties: (1) at a property included in the Reconnaissance Survey List, or (2) on the Adopted Survey List, or (3) at which the Public Works Director has determined that the property potentially meets the criteria for Historic Zoning and is not excluded from consideration. *Sec. 38-74b.B*

General Fence Code References by Zoning District

- **R-E Residential Estate District**  
  *Sec. 38-22.D.10*
- **R-1 Residential Single-Family District**  
  *Sec. 38-23.D.10*
- **R-2 Residential Low-Density Multifamily Dwelling District**  
  *Sec. 38-24.D.10*
- **R-3 Residential Medium Density Multifamily Dwelling District**  
  *Sec. 38-25.D.9*
- **R-Supplemental Regulations Applicable in R Districts**  
  *Sec. 38-26.E*
- **C-1 Neighborhood Commercial District**  
  *Sec. 38-28.C.2*
- **C-2 Community Commercial District**  
  *Sec. 38-29.C.2*
- **C-3 General Commercial District**  
  *Sec. 38-30.C.2*
- **CO Office and Professional District**  
  *Sec. 38-31.C.2*
- **CR Cannery Row Commercial District**  
  *Sec. 38-32.C.2*
- **C-Supplemental Regulations Applicable to C Districts**  
  *Sec. 38-33.B*
- **I-R Industrial, Administration, and Research District**  
  *Sec. 38-40.C.2*