

To apply, download the Fence Permit Application Form.

# **Placement of Fences and Walls**

#### (Implementing Zoning Ordinance Chapter 13)

# 13.010 - Applicability

The regulations for fences and walls contained in this chapter apply to the OSP, AG, RR, R1, R2, R3, R4, R5, C1, C2, MU1A, MU1B, MU1C, MU2, BP, I, and CF zoning districts. Fences and walls are prohibited in the Floodway zoning district. For properties zoned PUD and PCD, the height, location and design of fencing is determined by the PUD/PCD Development Standards for the specific PUD/PCD in which the property is located.

# 13.020 - Location and Height of Fencing

The location and height of fencing and walls is determined by the setback for the zoning district in which the property is located (Tables 4.6 through 4.13). The permitted height and location of fencing and walls shall be as indicated in Table 13.1 subject to the required setback of the applicable zoning district.

#### Table 13.1

| Location of Fence or Wall   | Maximum Height   |
|---|--|
| Within required front setback or on the front property line   | 42 inches 8 ft. Minor decorative entry treatments (e.g. arbor, trellis, etc.)          |
| Within required street side setback <sup>1</sup> or on the street side property line                | 42 inches  |
| Within required interior side or rear setback <sup>2</sup>  | 6 ft solid <sup>2</sup> or open fencing 2 ft of additional screening at least 50% open |
| Outside of a required setback   | 6 ft solid or open fencing 2 ft of additional screening at least 50% open              |
| Within a zone where no setback is required:   |  |
| Within 15 feet of a front property line<br>Within 5 feet of a street side property line             | 42 inches<br>42 inches   |
| 15 feet or more to the rear of a front property line  | 6 ft solid or open fencing 2 ft of additional screening at<br>least 50% open           |
| 5 feet or more from a street side property line   | 6 ft solid or open fencing 2 ft of additional screening at least 50% open              |
| At intersections of alleys, streets and driveways within the sight visibility triangle <sup>3</sup> | 42 inches  |
| Floodway  | Walls and fences are not permitted in the floodway                                     |

1. As prescribed in Section 13.025(B).

2. As prescribed in Section 13.025(C).

3. On a corner lot, the site visibility triangle is determined by the triangular area formed by the curb lines and their projection and a line connecting them at points 35 feet from the intersection of the projected curb lines (See Figure 13.1). For driveways, the site visibility triangle is determined by the triangular area formed as shown in Figure 13.1. For driveways, the measurement is taken from the back of the sidewalk, or where there is no sidewalk as determined by the Director.

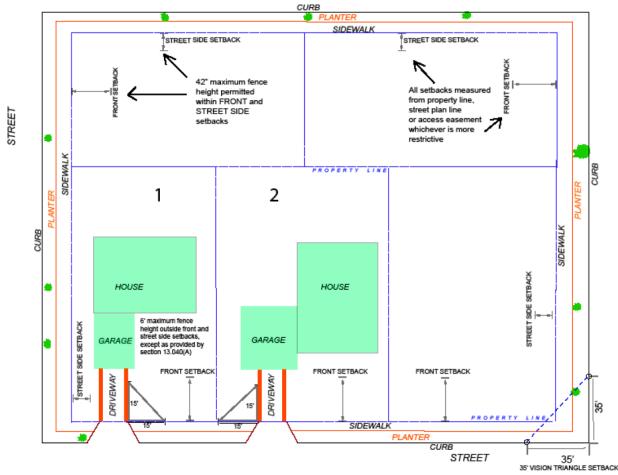
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Last updated: February 24, 2020

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Figure 13.1 – Fence Location Exhibit



#### 13.025 - Modifications to Fence Location and Height

- A. For flag lots, lots that are not rectangular, and parcels where the required fence setback required in Table 13.1 is not consistent with the required setback for the zoning district in which the property is located, the Director may grant a modification to the required fence location and/or height contained in this chapter.
- B. A 6 foot fence may be located in a required street side setback provided that the fence is a minimum of 5 feet from the street side property line and the area between the property line and the fence is landscaped. As part of the fence permit, a landscape plan for this area shall be submitted for this area and the landscaping shall be installed with the fence. Low water use, drought tolerant landscaping is encouraged.
- C. An additional two (2) feet of fence height may be added to any permitted six (6) foot high fence located on the rear or interior side property line of a residential lot abutting a public, quasi-public facility of potentially noxious use (e.g. school, corporation yard, bicycle paths, pump house, etc.) as determined by the Zoning Administrator.

#### 13.030 - Measurement of Fence and Wall Height

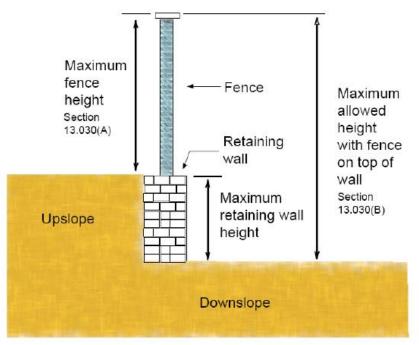
A. Fence height shall be measured as the vertical distance between the grade of the ground abutting the fence and the top edge of the fence material.

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13.040 - Specific Fence and Wall Requirements

- A. Additional Screening. An additional two (2) feet of screening material that is at least 50% open may be placed on top of a 6-foot fence.
- B. **Temporary Security Fencing**. Temporary security fencing may be erected around construction sites during the time a valid building permit is in effect for construction with the approval of the Community Development Director. Temporary security fences are not required to comply with the location requirements of Table 13.1 and must be immediately removed upon completion of the construction authorized by the building permit.
- C. Fencing for Outdoor Storage of Goods and Vehicles, Keeping of Livestock. A maximum of one (1) foot of vertical barbed wire may be installed on top of fences and walls located in AG and I Districts with the approval of a fence permit by the Zoning Administrator (Community Development Director) provided that the use served includes the outdoor storage of goods or vehicles or keeping of livestock.
- D. Fencing for Tennis Courts. When located in a rear or side yard, up to twelve (12) feet of fence height may be permitted for tennis courts with the approval of a conditional use permit.
- E. **Fencing for Commercial Recreation Uses**. Fence height necessary to serve a commercial recreation use may be permitted by with the approval of a conditional use permit.
- F. **Swimming Pools**. Swimming pool, hot tub, spa, or the entire property on which it is located shall be walled or fenced to prevent the uncontrolled access by children from the street or from adjacent properties.

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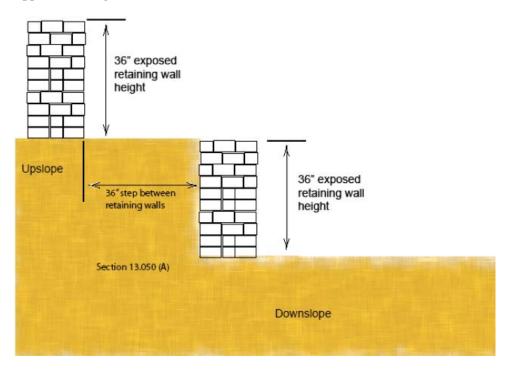
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# 13.050 - Retaining Walls

- 1. **Retaining Walls.** Any embankment to be retained that is over 48 inches in height shall be stepped so that no individual exposed retaining wall exceeds 36 inches in height, and each intervening step is a minimum width of 36 inches.
  - 1. **Retaining Walls in Required Front Setback**. Retaining walls not exceeding three (3) feet, six (6) inches in height, may be permitted in the required front setback provided that the coverage does not exceed five (5) percent of the area of the required front setback. On corner lots, such structures shall not be located within thirty-five (35) feet of the intersected street lines. See Figure 13.3.

### Figure 13.3 – Stepped Retaining Walls



#### 13.060 - Fence Permit Required

- A. No fence or wall shall in installed or constructed without the approval of a fence permit issued by the Community Development Department.
- B. Any person desiring to install or construct a wall or fence shall file an application with the Community Development Department. The application shall be accompanied by a plot plan drawn to scale, reflecting property lines, adjacent public streets, rights-of-way, driveways and existing buildings and structures. A dimensional detail of the proposed fence or wall shall also be provided reflecting the proposed materials and proposed height from existing and finished grade.
- C. The Community Development Director shall review the application for a fence permit for compliance with the provisions of this section and shall approve said application if it is found to be in compliance with these provisions.

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