

# TOWN OF LOS ALTOS HILLS

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## Fences, Walls, Gates, and Columns

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Revised- 6/25/14

This application packet provides information necessary to apply for any of the items listed above. A building permit may also be necessary but will not be issued until a Zoning permit has been approved.

### ZONING PERMIT APPLICATION:

A Zoning Permit is required to place any fence, column, or wall on your property. Your application will be reviewed by the Planning Department for completeness and conformity with the Town's Zoning Ordinance. The zoning review will check three major aspects of your project.

1. Height
2. Setbacks
3. Openness (solid vs. 50% open)

### Requirements of a Zoning Permit

Fences, columns, and walls are *generally* not considered to be "lot coverage" therefore it is not necessary to calculate your lot's maximum development area (MDA) or building coverage allowances unless your application also includes some items that are considered lot coverage, such as patios or decks. If so, please pick up the appropriate information packets from Town Hall. You must provide the following information before your application will be reviewed. When the application is considered complete, it will be approved or denied based on whether or not it conforms to the Zoning Ordinance.

1. Completed and signed application.
2. Three (3) copies of a plot plan at a scale of 1" = 20' for lots less than 2 acres and 1" = 40' for lots over 2 acres; not to exceed 2' x 3' in dimension and folded individually into eighths, showing the following:
  - a. Location of fences, columns, walls, etc.
  - b. Location of all property lines and dimensions of the lot.
  - c. Location, dimension, and character of all existing easements.
3. Three copies of elevations indicating height of fence, columns, or wall from natural grade, materials and type of construction.

## Fences and Walls

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4. 10 Day Courtesy Notices: Courtesy Notices will be sent by the Town to adjoining property owners when new and replacement fences, gates, or walls are proposed within 10 feet of a shared property boundary. Fence Permits that are compliant with Section 10-1.507 will be approved after 10 calendar days.
5. Plans indicating landscaping or other measures proposed to screen the wall, fence, or columns.
6. Fee of \$440 (check or cash only).

The Town has permit history for many lots in the Town. If you have no information on your property, please come in and see what is available. You may review plans and other information without an appointment. Subdivision files, when available, will show most easement and other legal aspects of your property. Attached to this packet, please find the Zoning Ordinance Section regarding fences and setbacks.

## **Los Altos Hills Municipal Code**

### **Title 10-Zoning**

Section 10-1.507. Fences, Walls, Gates, and Columns.

- a. Purpose. The following regulations were created to preserve the beauty and open rural quality of the Town while acknowledging that residents have the right to fence their properties in order to protect their children, contain their animals, and maintain privacy.
- b. Permits required. No fence, wall, gate, or column structure shall be erected or replaced without the prior issuance of a zoning or site development permit from the Town.
- c. Definitions. The following definitions are established for the purpose of this Article and the meaning and construction of words and phrases is as follows:

Legal Nonconforming Structure: Refer to Section 10-1.401(h) of the Zoning Ordinance.

Column: A round or square pillar, pole, or post flanking an entrance way constructed of such materials as brick, stone, concrete, or other materials. Includes mailbox columns.

Wall: An upright structure of wood, stone, brick, or other substance or combination of substances serving to enclose, divide, or support and usually having greater mass than a fence.

Fence: A structure serving as a barrier or screen constructed of wood, metal, wire, masonry, glass, plastic or any other material (not including graded berms or living hedges).

Gate: A movable frame or solid structure that swings, slides, or rolls controlling ingress and egress through an opening in a fence, wall, or vegetation.

Open Fence or Gate: A fence or gate constructed in such a way so that no more than fifty (50%) percent of the surface area obstructs a ground level view through the fence or gate.

Solid Fence or Gate: A fence or gate constructed in such a way so that more than fifty (50%) percent of the surface area obstructs a ground level view through the fence or gate.

- d. Prohibited fences, walls, gates, columns types. The following fences are prohibited:
  1. Chain-link or cyclone fences, including any fence with bare lengths of wire stretched between metal poles, with the exception of dark green, black, or brown vinyl-coated chain-link fences with matching vinyl-coated cross bars and caps.
  2. Barbed or razor wire fences, including any fence with attached barbs, sharp points, or razors.

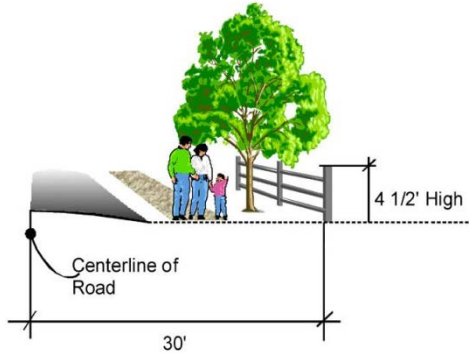
3. Electric fences, including any fence designed to produce an electric shock, except where necessary for animal husbandry operations.
  4. Any fence, wall, and/or gate that may cause harm to people, pets, and/or wildlife due to points, spikes, or sharpened edges on the top or bottom part of the fence, wall structure, and/or gates.
  5. Any perimeter fence, wall, gate, or column where the color reflectivity value exceeds 50%.
  6. Any fence, wall, gate, or column located within a public or private road right-of-way or pathway easement except for a mailbox column with an approved permit.
- e. Fences, Walls, Gates, and Columns Requiring Public Notice. Permit requests for the types of fences, walls, gates and columns identified below require notification of adjacent neighbors and neighbors across the street:
- (1) Fences, walls, gates and columns that require the removal of existing screening vegetation (trees and shrubs).
  - (2) Solid fences that impact neighbor views as defined by Section 5-9.02 of the View Ordinance.
  - (3) Any other proposal deemed appropriate by the Planning Director for a noticed hearing. Such proposals may include solid fences, as well as walls or vinyl-coated chain-link fences along any road right-of-way, and fences or walls longer than 1,000 linear feet.

Open fences using natural materials and colors, including unpainted or stained white, brown or gray wood; welded or woven wire and wood posts; and natural stone and/or brick construction are preferred and generally are not subject to public notice.

Staff shall notice a permit hearing and conduct the permit review hearing pursuant to Section 10-2.1305(b) except that only adjacent neighbors and neighbors across the street need to be notified. At or prior to the permit hearing, neighbors and the fence permit applicant shall be provided with notice that the approval or denial of any permit may be appealed pursuant to Section 10-1.1109.

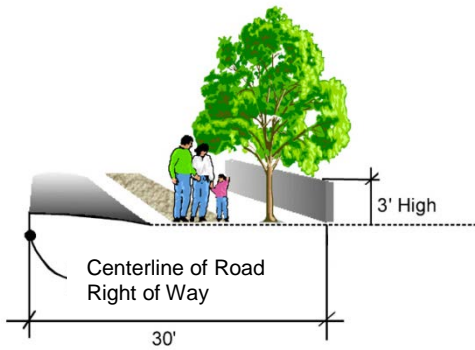
- f. Development Standards for Fences, Walls, Gates, and Columns.
1. Fences and walls located on property lines or in setback areas that are not adjacent to a road right-of-way shall not exceed a maximum height of 6 feet.
  2. Fences and walls located in setback areas that are adjacent to a road right-of-way shall comply with the standards established in subsections (4) through (9). Height may be proportionately increased 1 foot for every 10-foot increase in setback, up to a maximum of 6 feet in height.

- Fences, walls, gates, and columns located behind setback lines are not subject to these development standards.



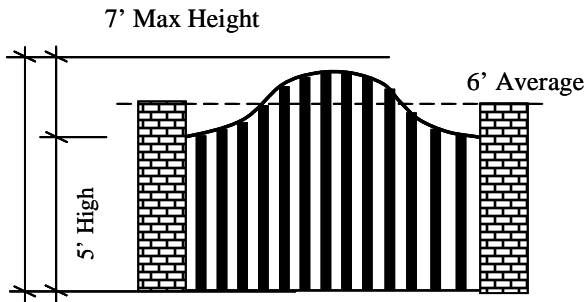
(4) Open Fences

(4) OPEN FENCES AND GATES	
Minimum setback from centerline of adjacent public or private road right-of-way.	30'
Maximum height of open fences and gates at the minimum setback from the centerline of adjacent public or private road right-of-way.	4 1/2'
Minimum setback from centerline of adjacent public or private road right-of-way for 6' tall open fences and gates located between adjacent public or private roadways and the structural setback line for the particular property.	45'



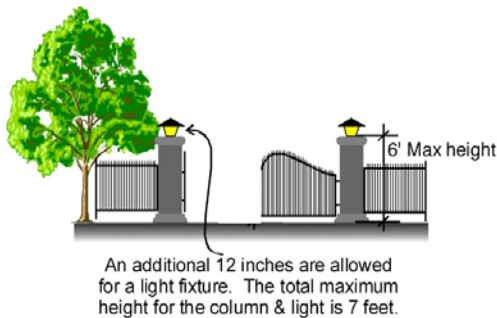
(5) Solid Fences, Gates, and Walls

(5) SOLID FENCES, GATES, AND WALLS	
Minimum setback from centerline of adjacent public or private road right-of-way.	30'
Maximum height of solid fences, gates, and walls at the minimum setback from the centerline of adjacent public or private road right-of-way.	3'
Minimum setback from centerline of adjacent public or private road right-of-way for 6' tall solid fences, gates, and walls located between adjacent public or private roadways and the structural setback line for the particular property.	60'



(6) Open Driveway Gates

(6) OPEN DRIVEWAY GATES	
Minimum setback from centerline of adjacent public or private road right-of-way.	30'
Maximum height of open driveway gates at the minimum setback from the centerline of adjacent public or private road right-of-way.	4½' (average)
Minimum setback from centerline of adjacent public or private road right-of-way for open driveway gates with a 6' average height (7' maximum height) located between adjacent public or private roadways and the structural setback line for the particular property.	45'



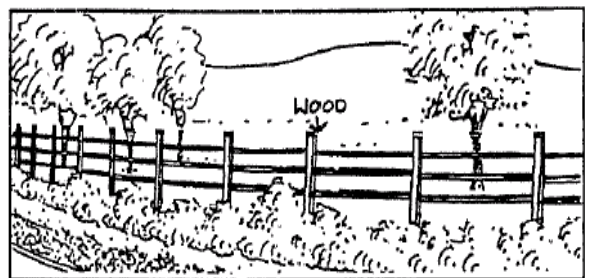
(7) Columns

(7) COLUMNS	
Minimum setback from centerline of adjacent public or private road right-of-way.	30'
Maximum height of columns at the minimum setback from the centerline of adjacent public or private road right-of-way.	6' 7' (w/lights)
Maximum height of columns located between adjacent public or private road right-of-way and the structural setback line for the particular property.	6' 7' (w/lights)

(8) OUTDOOR ATHLETIC COURT FENCING	
Maximum height of outdoor athletic court fencing located beyond the structural setback line for the particular property.	10'

(9) OPEN SPACE/CONSERVATION EASEMENT PERIMETER FENCES	
Maximum height of open space/conservation easement perimeter fences.	6'
Minimum distance of lowest fence strand or rail from ground.	12" above grade

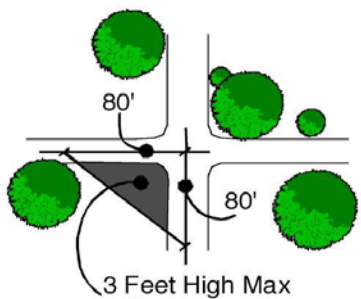
Open space/conservation easement perimeter fences shall provide openings sufficient to accommodate the free passage of wildlife through the easement. A split-rail wood fence (see exhibit) or equivalent design shall be required. Where a pathway is located within an open space/conservation easement, the perimeter



(9) Open space/conservation easement perimeter fencing

fence shall be required to have at least two openings at least as wide as the width of the pathway easement.

10. Any fence crossing or intersecting an officially designated wildlife corridor shall conform to the requirements specified above for an open space/conservation easement perimeter fence.
11. No fence, wall, gate, or column shall be located within a public or private road right-of-way or pathway easement. A four-foot (4') tall mailbox post or column may be granted an exception to be located within a road right-of-way. An encroachment permit from the Engineering Department is required to install a mailbox post or column within a road right-of-way easement. Any existing fence, wall, gate, or column located within any road right-of-way may be required to be removed at the owner's expense.
12. Solid walls, fences, or gates shall not exceed a maximum height of three (3') feet and all shrubs and plants shall be pruned to a height not to exceed three (3') feet above the road level at its nearest point in an area bounded by the center line of intersecting roads or easements for vehicular access, public or private and a straight line joining points on such center lines eighty (80') feet distant from their intersection (see exhibit).



All side limbs of trees in such area shall be pruned to a height of not less than six (6') feet above the road surface. The purpose of the provisions of this section is to provide an unobstructed view of approaching traffic on the intersecting roads. The City Engineer may prescribe greater restrictions than the height set forth in this paragraph where unusual conditions make such additional restrictions desirable in the interests of the public safety.

13. Any fence or wall may be required to be landscaped. Screen plantings required as a condition of approval for any fence or wall shall be maintained in good condition by the property owner.
14. The vertical dimension of any fence, wall, gate, or column shall be measured from the finished grade on both sides of any such fence, wall, gate, or column to any point on top of the fence, wall, gate, or column, including post/column caps and any ornamental features.

g. Requirements for Nonconforming Fences, Walls, Gates, and Columns.

Replacement of existing legal nonconforming fences, walls, gates, and columns shall be subject to the requirements in this ordinance. Exceptions may be granted pursuant to subsection 10-1.507(h) of this ordinance, or where the strict application of these requirements will result in a hardship for the property owner. Repair of short sections of legal nonconforming fences, walls, gates, or columns (repair of less than 50 feet or repair of no greater than 25% of total fence or wall length) will not require a permit if no other work is done on the same structure over a 12-month period. The replacement of any nonconforming structure shall be prohibited if the City Engineer determines that a public safety hazard exists or that the structure encroaches in an easement or public right-of-way. Any fence, wall, gate, or column constructed without a

lawfully issued permit is a violation of the Municipal Code and shall be subject to the provisions of Title 1, Chapter 2 of the Municipal Code.

**h. Exceptions.**

Exceptions may be granted subject to a noticed hearing and upon the Site Development Authority making all of the following findings:

1. The height and design of the proposed fence, wall, gate or column are compatible with other fences in the neighborhood;
2. The proposed removal of vegetation and trees and disturbance to natural terrain have been minimized; and
3. The proposed structure is otherwise in compliance with all regulations and policies set forth in the Municipal Code and the General Plan.

Any fence proposed to exceed a height of 6 feet in a setback area or to be located closer to the centerline of the road than required shall require a variance in accordance with the provisions of Article 11 of the Zoning Ordinance.