



City of South Lake Tahoe

"making a positive difference now"

FENCE CHECKLIST

Planner:

Date:

Project:

SECTION 6.10.230 FENCE HEIGHT and SETBACKS - STANDARD APPLICATION

Note: the "Y" box () when checked indicates the condition applies: "N" box () when checked indicates the condition does **not** apply.

Y N

RESIDENTIAL: All residentially zoned property shall conform to the following:

Frontyard:

Maximum 3' high up to 20' frontyard setback from property line
Maximum 6' high at and beyond 20' frontyard setback from property line

Side yard:

Interior

Maximum 6' high between frontyard setback and rear property line.

Street

Maximum 3' high up to 8' street sideyard setback from property line.
Maximum 6' high at and beyond 8' street sideyard setback from property line.

Rear yard:

Maximum 6' high on rear property line.

COMMERCIAL: Commercially zoned property shall conform to the following:

Frontyard:

Maximum 3' high up to 20' frontyard setback from property line
Maximum 8' high at and beyond 20' frontyard setback from property line

Sidyard:

Interior

Maximum 8' high between frontyard setback from property line and rear

Street

Maximum 3' high up to 15' street sideyard setback from property line
Maximum 8' high at and beyond 15' street sideyard setback from property line

Rear yard:

Interior

Maximum 8' high on rear property line.

Street

Maximum 3' high up to 15' street rear yard setback from property line
Maximum 8' high at and beyond 15' rear yard setback from property line

rev: 4/28/03

SECTION 6.10.240 FENCE HEIGHT SETBACKS - ALTERNATIVE

RESIDENTIAL: All residentially zoned property may chose to conform to the following alternatives:

Frontyard: A frontyard fence within the 20' setback from property line may have the following heights and setbacks:

		<u>Height:</u>	<u>Setback From Property Line</u>
<input type="checkbox"/>	<input type="checkbox"/>	4'	10'1" to 15'0"
<input type="checkbox"/>	<input type="checkbox"/>	5'	15'1" to 20'0"

These alternative fence heights and setbacks shall be subject to:

- The property is located on an arterial or collector street as defined by the City Engineering Department street map; and
- the land area between the front property line and the fence shall be landscaped with ground cover, (including turf) shrubs and trees. A landscape plan, including method of irrigation, shall be required for review and approval by the Planning Department; and
- a fence higher than 3'0" shall have a "clear zone" at the garage location and a clear zone at the interior side yard at the side property lines; and
- a hold harmless agreement; and
- a street address on fence; and
- to conform to construction standards.

Sideyard:

Interior:

No alternative

Street:

The 6'0" high street sideyard fence may be placed within the 8'0" street sideyard property line subject to:

- The land area between the street sideyard and the fence shall be landscaped with groundcover, shrubs and trees. A landscape plan including a method of irrigation shall be submitted for review and approval by the Planning Department; and
- that a "clear zone" be maintained at the street corner, whether the intersection is controlled or not.

- That a "clear zone" be maintained for all access drives and garage(s) through the street sideyard, equal to the depth of the Zoning Code building setbacks; and
- that a "clear zone" be maintained where the fence intersects the adjacent interior property line, equal to the depth of the 8'0" fence setback; and
- a hold harmless agreement; and
- to conform to construction standards.

Rearyard:

- No alternative

- COMMERCIAL / PUBLIC SERVICE:** may conform to the following alternatives:

Frontyard:

- No alternative

Sideyard:

Interior

- No alternative

Street

- The 6'0" high street sideyard fence may be placed within the 15'0" street sideyard property line subject to:

- The land area between the street sideyard and the fence shall be landscaped with groundcover, shrubs and trees. A landscape plan, including a method of irrigation, shall be submitted for review and approval by the Planning Department; and
- that a "clear zone" be maintained at the street corner, whether the intersection is controlled or not; and
- that a "clear zone" be maintained for all access drives through the street sideyard equal to the depth of the Zoning Code building setback.
- A hold harmless agreement shall be provided.
- Must conform to construction standards.

Rearyard:

Street

- No alternatives

SECTION 6.10.250 STANDARDS

GENERAL

A fence may be constructed of a permanent material such as:

- wood chain link stone/rock concrete block/brick
- iron other material approved by staff.
- non dimensional lumber may be used if the fence is a split-rail fence or log type fence.

Fencing types prohibited include, but are not limited to,

- barbed wire (see exception) razor wire chicken wire
- electrified fences pallet fences spiked fences
- trailers other similar storage units paper
- visqueen plastic and the like.

WOOD:

All wood fences shall conform to:

- material shall be of dimensional lumber that has been milled into standard sizes of 2x4, 4x4, 4x6, 1x6, 1x8, etc.
- wooden fence posts shall be redwood, cedar, or pressure treated material.
- fence post holes shall be a minimum of 12 inches in diameter and 27 inches deep.
- the lower 3" of the post hole shall be filled with 3" of gravel or crushed stone.
- post holes shall be filled with concrete after installation of the post.

Fence Specifications:

Height (in feet)	Post Size (inches)	Space between posts (in feet)
<input type="checkbox"/> 3	4x4	8
<input type="checkbox"/> 4	4x4	8
<input type="checkbox"/> 5	4x4	8
<input type="checkbox"/> 6	4x4	8
<input type="checkbox"/> 7	requires separate application to Building Department for permit	
<input type="checkbox"/> 8	requires separate application to Building Department for permit	

Fences within setback areas:

Height	Post Size	Space between posts
<input type="checkbox"/> <input type="checkbox"/> 3' to 6'	4x6	6

- all wooden fence designs shall incorporate cross rails that run horizontally at approximately eight inches up from ground level and eight inches down from the top of the fence. Cross rails shall be a minimum of 2x4. Cross rails shall be attached to posts with a minimum of 2-16d galvanized box nails at each end. It is suggested that metal hangers be used to give additional support, especially if the fence is within the City's snow storage easement. All fence boards shall be attached with a minimum of 2-8d galvanized nails at each end.

- wooden fences in setback areas shall be constructed with the fence boards applied to the street side of the fence.

- alternate construction standards and designs will be considered. Engineering calculations, consistent with the City Building Department Codes, shall be submitted to the Building Department to justify the design.

- CHAIN LINK FENCES:** the following chain link fencing standards shall be applied to any public or private property within the City. (Single family dwellings are **not** exempt.)

Chain link fencing shall require City Planning Department approval to determine compliance with applicable standards. If the proposal is in compliance, City staff shall approve the fencing. At the discretion of the Zoning Administrator, any non-complying proposal may be forwarded to the Planning Commission for final determination. Any decision of the Planning Commission is appealable to the City Council, under the standard appeal process.

The **standards** for chain link fencing shall **not** be applied to the following situations:

- fences erected for construction site purposes, so long as such fencing is to be removed within six months after its placement on the site. The Planning staff may extend this time on a case by case evaluation if the following findings can be made;
- the property owner can demonstrate that he/she has exercised due diligence in working toward the completion of the project construction activities undertaken and completed in accordance with a set of approved construction plans.

A property owner shall not be deemed to have failed to exercise due diligence in any case where inclement weather has halted construction, the discovery of site contamination due to the existence of hazardous materials or other significant health hazards results in delays imposed by the El Dorado County Health Department or any other governmental entity having jurisdiction or legal proceedings have occurred which has delayed construction beyond the control of the property owner.

- a schedule for removal of the fence is submitted which, in the reasonable discretion of City staff, provides a removal date that coincides with the estimated construction completion date, as may be mutually agreed upon by the City Building Official or his designee, Planning Department staff and the property owner.
- any chainlink fencing which is not visible from the public right-of-way or adjacent property.
- fencing erected prior to the effective date of this ordinance which does not conform to the standards provided in this ordinance, shall be allowed to remain pursuant to SLTCC 6.10.260, Nonconforming Fence Regulations.

The **standards applicable** in reviewing chain link fencing (excluding construction fencing, see (C)(2) shall be as follows:

- chain link fencing shall conform to all applicable standards within this section regarding location, height and setbacks.
- use of chain link fencing shall be limited to protecting property while allowing for the visual surveillance of the property from outside the fence.
- by the design of chain link fencing, the interior of the property is exposed to view. As a result, landscaping, building orientation and design, parking and storage enclosed by chain link fencing shall conform to applicable City ordinances, regulations and design review standards to ensure an attractive as-built environment.

- randomly spaced evergreen and deciduous trees, as well as boulders or other appropriate landscaping devices, shall be placed on either side of the fencing to enhance the natural environments.
- redwood slatted chain link or other slating material in chain link fencing is prohibited in commercial areas as it interferes with visual surveillance and does not provide permanent and adequate screening for sight obscuring purposes. If slatting is desired by a residential property, it may be permitted provided it is not used in the front yard.
- color:** Galvanized chain link fencing (i.e. poles, mesh, bracing, etc.) is prohibited. Black, brown or green colored vinyl coated chain link fencing (i.e. poles, mesh, bracing, etc.) shall be used.
- construction:** Chain link fencing shall be constructed in such a manner as to compensate for snow load and wind load. This shall include, but not necessarily limited to, the following construction guidelines:
 - the use of wooden posts, pressure treated or redwood, is encouraged as replacements for metal posts. Such wooden posts should be a minimum of 6"by 6".
 - metal posts, if used, shall have a minimum diameter of two inches if over six feet in height, or a minimum diameter of one and one-half inches if less than six feet in height.
 - tension wires shall replace the standard "top rail" in chain link fence construction, with wire connectors anchoring the tension wire to the fabric at a minimum interval of one every 6" due to snow and ice build up.
 - construction standards shall conform to the State of California Department of Transportation specifications.
- layout:** Long straight runs on chain link fencing should be avoided. Chainlink fencing should be laid out with offsets randomly set, depending on the site.
- CLEAR ZONES:** For the purpose of creating visibility to and from the public-right-of-way, as well as preserving adjacent property views, the following "clear zones" are required.
 - Street Corner:**
A "clear zone" be maintained at the street corner, whether the intersection is controlled or not. The clear zone is created by extending the front property line and street side property line to a point and measuring from the point along the front property line and street side yard property line to a distance of 25'0" to a point and connecting these two points to create a "clear zone" triangle (see figure B).
 - Garage/access drives:**
A "clear zone" be maintained for all garages and access drives. This clear zone is created by drawing a 45 degree angle from each side of the garage door opening (or width of access drive away from the driveway). This 45 degree angle shall terminate at the alternate setbacks (see figure B).

Interior property lines:
A "clear zone" be maintained between adjoining interior property lines should an alternative fence setback be used. This clear zone is created by measuring along the interior property line the distance equal to the standard fence setback to a point. From the point, draw a 45 degree angle onto the property that is taking advantage of alternative fence setback, to a point where the 45 degree line intersects the alternative fence setback. (see figure B)

General:
Nothing over 3' high may be placed within the "clear zone". A tree is permitted within the clear zone if its branches are 8'0" above ground level.

EXCEPTIONS:

Retaining walls for erosion control are not considered a fence and therefore are exempt from the setback requirement unless:

they are over 3'0" high in the front or street side yard and

located within the "clear zone"

On double frontage lots (eg. lots with two street frontages & not a corner lot) the property owner shall stipulate the yards. If the rear yard adjoins a street, it shall have no setback, unless:

a vehicle access is provided in which case a "clear zone" shall be maintained, or

if the rear fence is adjacent to another property's front yard then a clear zone shall be maintained between all driveways on either property.

Barbed wire fencing may be permitted by staff, subject to the following:

the barbed wire (3 strands or less) is placed on the top of a 6' or taller fence, and

the subject property has documented a security problem. Examples of such documentation could be from the FAA mandating the use of barbed wire, police report indicating vandalism, or the necessity to keep stored items outside that could be considered a potential safety hazard, such as electrical transformers and the like. Such documentation shall be subject to city review on a case-by-case basis, and

the barbed wire will be screened with landscaping, subject to City review and approval, and

the fence is a conforming fence, and

the zoning is Commercial or the property has a documented security problem as noted in paragraph "b" above, and

provide a hold harmless agreement for the City, and

the supports shall also be colored to match the fence posts and fabric, however the barbed wire does not have to be colored to match.

- Entrance portals (does not have a gate) may be permitted by staff, subject to the following:
 - obtain a building permit, and
 - provide a hold harmless agreement for the City, and
 - the portal, if located within the clear zone of the driveway, cannot block the views of those entering or leaving the site. Any structure greater than a 6"x6" post within 8' of the ground, shall be considered as blocking views.
- MAINTENANCE:** All fences and landscaping required for the alternative fence height and the limited use of barbed wire (see Exception above) shall be properly maintained so as not to present a safety hazard or nuisance or a blight to the neighborhood. Failure to maintain the fence and or landscaping as required by the alternative fence standards, is considered to be a violation of this article.

SECTION 6.10.260 NONCONFORMING FENCE REGULATIONS

Nonconforming fence: A fence which does not comply with one or more provisions of this Ordinance, such as height, material, setback, or clear zone, as of the date of this ordinance.

- Continuation and maintenance:** A nonconforming fence may be continued, and may be maintained, except as provided in this article or otherwise provided by law.
- Adding on to nonconforming fences:** No person shall add-on to a nonconforming fence in any manner which increases its nonconformance, such as;
 - nonconforming height - adding additional height or adding additional fence length to the nonconforming fence.
- Maintenance or repair of existing nonconforming fences:** Maintenance or repair, including structural repairs, may be made to a nonconforming fence or portions thereof, provided the nonconforming portion (s) of the fence is not changed or if the change does occur, it is in conformance with the code. Examples allowed include;
 - maintenance - replacing of existing 4 foot high nonconforming fence boards with new 4 foot high boards.
 - conformance maintenance - replacing the 4 foot high boards with 3 foot high boards for fences within the frontyard setback.
 - Repair - replacing existing 2x4 posts with new 2x4 posts.
 - Conformance repair - replace the 2x4 posts with 4x4 posts.

- Reconstruction of damaged nonconforming fences:** A nonconforming fence damaged by fire or calamity may be reconstructed. If the fence is reconstructed, the nonconforming portions of the fence which relate to the health, safety and welfare, shall be brought into conformance with this code. Health, safety and welfare include fences within the frontyard, street sideyard and "clear zones" which do not meet the provisions of this code including construction standards. Such examples of health, safety and welfare include:
 - a fence within the 8 foot street side yard that is destroyed as a result of a heavy winter that has 4x4 posts at 8 feet on center, may be rebuilt if the fence conforms to the standards of having 6x6 posts at 6 feet on center.
 - a 6 foot fence within the front yard setback may be rebuilt if the fence height is reduced to 3 foot.
 - a 5 foot fence within a "clear zone" may be rebuilt if the fence height is reduced to 3 feet.

- Compliance:** All portions of nonconforming fences shall be brought into conformance with this ordinance, including meeting the required construction standards, when:
 - the nonconforming fence is clearly on the subject property, and the property owner applies to the Building Department for a building permit which requires a site plan, such as a new house, garage, carport, second story additions, exterior remodeling, new decks, re-siding and the like.
 - the nonconforming fence is on the property line, and the property owner, who applies to the Building Department for a building permit, does not have complete control over nonconforming portions of the fence, as evidenced by a land survey or other accurate means to determine property lines and fences as approved by staff, shall not be required to bring the nonconforming portions of the fence into conformance.
 - the following shall not require compliance: re-roof, interior remodel, electrical and gas conversions and the like.