

## **FENCES AND WALLS (GENERAL PROVISIONS)**

### **SOLANA BEACH MUNICIPAL CODE SECTION 17.60.070 Fences and Walls.**

**A. Purpose and Intent.** The purpose of this section is to prescribe standards for fences, walls, and view-obscuring landscaping within the city for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy, the control of dust, and the improvement of the visual environment including the provision of a neat appearance in keeping with neighborhood character.

**B. Permitted Fences and Walls (Nonresidential Zones C, SC, LC, OP, LI, PI, OSR).** Fences and walls shall be constructed in accordance with the following standards, except when the city council or director of community development, as a condition of approval of a matter under their jurisdiction, requires that a fence or a wall be constructed to a height greater than otherwise permitted by this section in order to mitigate against potential adverse effects. On fill or cut slopes, the height of all fences, walls, retaining walls, or any combination thereof shall be measured above the level of the pre-existing grade.

1. No fence or wall, within the buildable area, shall be higher than the maximum height applicable to a principal structure.

2. Within required front and street side yards, no fence, wall, retaining wall or combination thereof shall be higher than 42 inches, except that an additional 24 inches of fence height (to a maximum height of 66 inches) shall be permitted; provided the additional portion of the fence is constructed of a material that is at least 80 percent open to light.

3. Within required rear and interior side yards, no fence, wall, retaining wall or combination thereof shall be higher than six feet, except where such property abuts a residentially zoned lot in which case an additional two feet of fence height is permitted.

**4. Barbed wire, razor, and electrical fences are prohibited.**

5. In the OSR zone a woven, rail, or similar open type fence may be six feet high. No such fence shall be located on a bluff face or to within 40 feet from the top edge of a coastal bluff area or 25 feet from the top edge of any other natural bluff area except where reasonably necessary to deter trespassing or to discourage indiscriminate traverse upon the face of the bluff. No fence shall interfere with public beach access rights.

For purposes of measuring fence height, see definition of "Fence", Chapter 17.08 SBMC (Definitions).

**C. Permitted Fences and Walls (Residential and Agricultural Zones ER, LR, LMR, MR, MHR, HR).** Fence and Wall requirements for the residential zones shall be as prescribed in SBMC 17.20.040(O) (Residential Zones, Specific Requirements, Fences, Walls, and Hedges).

**D. Required Fences and Walls (All Zones).**

1. Parking Areas. All parking areas of five or more parking spaces, (and driveways serving such parking areas) located on a parcel abutting property in any residential zone, shall be separated from such abutting property by a solid fence or wall six feet in height, except as follows:

a. Where said fence or wall abuts a front yard or street side yard on adjacent property, the required fence or wall shall be limited to 42 inches in height.

b. Where the finished grade of a parking area is more than six feet below the finished grade of adjacent property, no fence or wall is required, except as necessary for the safety of persons. Where there are variations in the finished grade adjacent to the lot, these same requirements shall apply, and the fence or wall shall be designed in such a way as to have a functional and aesthetic transition while protecting adjoining residential property from the lights and noise of vehicular traffic.

c. The director of community development or the city council may waive or modify the provisions of (a) and (b) above if findings are made that the placement of structures and other factors prevent the lights and noise of vehicular traffic from adversely affecting abutting residential property at least to the same degree as the required fence or wall.

2. Outdoor Storage, Sales, and Service Yards. Fence and wall requirements for outdoor storage, sales display areas, and service yards shall be as prescribed in SBMC 17.60.080 (Outdoor Storage, Sales, and Service Yards).

3. Mobile Home Parks. Mobile home parks shall be entirely enclosed at its exterior boundaries by a decorative, view-obscuring fence or wall, or by decorative screening or landscaping plants and/ or materials; provided, however, that said fence, wall screening or landscaping when located within a front yard shall be constructed at or behind the required setback.

4. Scenic Area Overlay Zone. Within the scenic area overlay zone (SBMC 17.48.010) potentially unsightly features shall be screened from view by a view-obscuring fence or wall or by decorative screening or landscaping plants and/or material in accordance with the provisions of an approved development review permit.

#### **E. Standards Applicable to Required Walls and Fences (All Zones).**

**1. Measurement of Height.** The prescribed height of required fences, walls, or landscaping screens shall be measured above the actual adjoining level of the finished grade, except that where parking, loading, storage, or similar areas are located above finished grade, the height of fences, walls or landscaping required to screen such areas or space shall be measured above the level thereof. An earthen berm not higher than three feet may count toward the prescribed height of any fence, wall, or landscaping screen.

**2. Fence Materials.** Fences and walls may be of any material commonly used in the construction of fences or walls, or otherwise acceptable by the department of community development, except as otherwise specified herein.

**3. Fence Opaqueness.** The degree of opaqueness or transparency of fences and walls may be determined by the property owner, in accordance with his desire for visual privacy, except as otherwise specified herein.

**4. Hedges and Landscaping.** A hedge or other dense landscaping may satisfy a requirement for a view-obscuring fence. Such hedge or other dense landscaping shall be maintained in accordance with the provisions of Chapter 17.56 SBMC (Landscaping Regulations) and shall be replaced with another hedge, other dense landscaping or an appropriate fence or wall when it ceases to serve the purpose of obscuring views. **However, no such hedge shall be grown or maintained at a height greater than that permitted by these regulations for a wall or fence.**

**5. Gateposts.** Gateposts and other superstructures over ways of ingress and egress may be permitted as determined appropriate by the director of community development. (Ord. 185 § 2, 1993)