

**City of Rio Dell Fence Regulations
Section 17.30.120 Rio Dell Municipal Code**

17.30.120 Fences, Walls and Screening

(1) **Corner Lots -- Sight Distance.** In any residential district on a corner lot, there shall be no fence, wall, or hedge higher than three (3) feet, nor any obstruction to vision other than a post, column, or tree not exceeding one foot in diameter, between a height of three (3) feet and a height of ten (10) feet above the established grade of either street, within an area thirty (30) feet from the intersection of the street lot lines. **See Fence Diagram.**

(2) **Height Regulations.**



(a) **Fences in Front Yards.** A fence located in a front yard shall not exceed four (4) feet in height. However, an ornamental metal fence may be erected to a height of seven (7) feet. Such ornamental fence may include posts/piers constructed of masonry, wood or other similar materials, provided the fence is at least 60% open overall. An ornamental metal fence may also be constructed atop a masonry wall provided the combined height of the wall and fence does not exceed seven (7) feet and the portion of the wall/fence structure above 4 feet high is at least 60% open. **See Fence Diagram.**

(b) **Fences in Side Yards and Rear Yards.** A fence located in a side yard or rear yard may be erected to a height of 7 (seven) feet. **See Fence Diagram.**

(3) **Exceptions.** The Planning Commission may modify by special use permit, the height requirements of this part, upon a showing of good cause. For any such modification, the Planning Commission shall be required to make the following findings:

(a) The proposed fence height modification will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area;

(b) The proposed modification will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and

(c) The proposed modification will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.

(d) In issuing a special use permit, the Planning Commission may require such changes or alterations in the fence as it may deem necessary to satisfy the findings specified in this part. Such changes or alterations may include, but shall not be limited to the following:

- Fence height
- Design
- Materials
- Setback from property line
- Screening or landscaping

It is the applicant's responsibility to provide the justification for granting the exception. Applicant's are encouraged to contact their neighbors prior to making application for the height exception. All property owners within 300 feet of the perimeter of the parcel will be notified of the application and the Planning Commission's Public Hearing.

The applicant pays all actual costs for processing the Use Permit application. Below are the submittal requirements for exception and Use Permit:

- ☒ *Application Form*
- ☒ *\$500.00 Deposit*
- ☒ *Fee Schedule*
- ☒ *Plot Plan*
- ☒ *Justification for the required findings.*

(1) A fence or wall used as a fence which exceeds seven (7) feet in height shall be defined as a "detached accessory structure" for the purpose of regulation under the provisions of this ordinance, and all applicable provisions of the California Building Code shall apply. [Ord. 167 § 6.05.5 1982; Ord. 324 August 2014]

(4) Prohibited Materials.

The following fence materials are prohibited unless approved by the Community Development Director in consultation with the Director of Public Works and the Chief of Police for animal control, garden protection, special security needs, or required by a City, State, or Federal law or regulation.

(a) Barbed wire, or electrified fence, except within the Rural (R), and Natural Resources (NR) land use designations;

(b) Razor or concertina wire in conjunction with a fence or wall, or by itself within any land use designation;

(c) Nails, broken glass, or other sharp objects on the top of fences or walls.



(d) Existing fences with prohibited materials shall not be considered a legal non-conforming use and/or structure and shall be removed within sixty (60) days after adoption of the implementing ordinance. [Ord. 338 October 2015]