

## FREQUENTLY ASKED QUESTIONS: FENCES, WALLS AND HEDGES

The City of Foster City has recently updated city codes regarding fences, hedges and walls on private property. The proposed changes to the regulations are based on public input and City Council direction received to date at public meetings. They are meant to clarify what is allowed for fences, walls and hedges in the front, side and rear yards of both non-waterfront and waterfront properties as well as properties on corner lots.

### Frequently Asked Questions:

#### 1. *What are the major changes to the regulations?*

- a. Definitions for a hedge and a wall have been added
- b. The maximum height of hedges perpendicular to the street in the front yard of non-corner lots has been established based on the location of the hedge from the edge of the driveway
- c. The maximum height of hedges in the rear yard (on the lagoon side) of waterfront properties has been added
- d. The maximum height of hedges in the side and rear yards has been modified
- e. The maximum fence, wall or hedge height at corner lots depends if the lot is at an intersection controlled by all way stop signs or not
- f. An exception process has been established to consider properties with unique circumstances that cannot meet current standards
- g. The non-conforming section pertaining to fences, walls and hedges has been modified
- h. Standards for arbors above fence gate has been established

#### 2. *I have a non-waterfront property. What am I allowed to have in the front yard?*

**Fences:** If you have a non-waterfront property and your house is not on a corner lot, you can have a fence that does not exceed forty inches in height in the front yard.

You may increase the height of the fence to six feet if you obtain approval of the Community Development Director and if the fence meets the following criteria:

- Your front yard property line adjoins either the front yard property line of another lot or the side yard property line of another lot
- The fence is set back a minimum of twenty feet from the front property line
- The fence's location does not obstruct pedestrian or vehicular access to the house and does not block the view of the house from the street
- The fence's location is not closer to the street than the house's primary front wall from which the fence is extended
- The fence is perpendicular to the front property line, except that location on the front property line is permitted where necessary to complete the enclosure of the side yard

- The fence is placed far enough from the street such that the amount of landscaped area visible from the street is generally consistent with other lots located in the same block
- The fence is constructed of fifty percent open-air materials

**Walls:** If you have a non-waterfront property and your house is not on a corner lot, you can have a wall that does not exceed forty inches in height in the front yard.

**Hedges:** Hedges planted along the side property line perpendicular to the street located more than five feet from the edge of a driveway cannot exceed six feet in height. Hedges along the side yard that are within five feet of a driveway, cannot exceed forty inches in height from the back of the sidewalk for a distance of five feet, at which point they may increase to six feet.

Hedges planted in the front yard of non-waterfront properties parallel to the street can have a maximum height of forty inches. Additionally, hedges are required to be pruned and maintained in a healthy and vigorous condition.

**3. *I have a non-waterfront property. What am I allowed to have in the side and rear yard?***

**Fences:** If you have a non-waterfront property, you could have a fence height of six feet in the side and rear yard. You could increase the height to have a fence that is seven feet in height in any side and rear yard if all the fence material above six feet in height consists of wood lattice with a weave that is approximately fifty percent open.

**Walls:** Walls in the side and rear yard can have a maximum height of six feet.

**Hedges:** Hedges in the side or rear yard of non-waterfront properties cannot exceed twelve feet in height as long as they are neatly pruned and maintained in a healthy and vigorous condition.

**4. *I have a waterfront property. What am I allowed to have in the front yard?***

Fences, walls and hedges in the front yard of a waterfront property that is not on a corner lot are subject to the same requirements as that of a non-waterfront property.

**5. *I have a waterfront property. What am I allowed to have in the side yard?***

**Fences:** If you have a waterfront property, you could have a fence height of six feet in the side yard. You could increase the height to seven feet in height in any side yard if all the fence material above six feet in height consists of wood lattice with a weave that is approximately fifty percent open.

**Walls:** Walls in the side yard can have a maximum height of six feet.

**Hedges:** Hedges in the side yard of waterfront properties cannot exceed twelve feet in height as long as they are neatly pruned and maintained in a healthy and vigorous condition.

**6. *I have a waterfront property. What am I allowed to have in the rear yard?***

To protect the views of the lagoon from adjacent properties, fences, walls and hedges located in the rear yards of waterfront property are subject to the following criteria

- a. Rear Yards less than twelve feet in depth. The fence, wall or hedge cannot exceed seventy-two inches in height in the first half of the rear yard measured from the rear wall of the house nearest to the water. The fence, wall or hedge is then required to step down to a height not to exceed forty-two inches in the second half of the rear yard.
- b. Rear Yards twelve to thirty-five feet in depth. The fence, wall or hedge cannot exceed seventy-two inches in height in the first third of the rear yard measured from the rear wall of the house nearest to the water; fifty-seven inches for the next third of the rear yard; and forty-two inches on the final third of the rear yard.
- c. Rear Yards exceeding thirty-five feet in depth. The fence, wall or hedge cannot exceed seventy-two inches in height on the first quarter of the rear yard measured from the rear wall of the house nearest to the water; sixty-two inches in the second quarter of the rear yard; fifty-two inches in the third quarter of the rear yard and forty-two inches in the final quarter of the rear yard.
- d. The hedge is neatly pruned and maintained in a healthy and vigorous condition

**7. *My house is on a corner lot. What am I allowed to have?***

**Front Yard:**

If your house is on a corner lot and is at an intersection that **is not** controlled by all way stop signs, you cannot have a fence, wall or hedge that exceeds forty inches in height within a twenty-five foot triangle formed at the intersection of two streets measured at the property line in the front yard

If your house is on a corner lot and **is** at an intersection that is controlled by all way stop signs, then you are subject to the same front yard requirements as that of a non-waterfront property.

**Interior Side and Rear Yards:**

**Fences:** If your house is on a corner lot and is a non-waterfront property, you could have a fence height of six feet. You could increase the height of the fence to seven feet in height in any side and rear yard if all the fence material above six feet in height consists of wood lattice with a weave that is approximately fifty percent open.

**Walls:** If your house is on a corner lot and is a non-waterfront property, you could have a maximum wall height of six feet in the side and rear yards.

**Hedges:** If your house is on a corner lot and is a non-waterfront property, you could have a maximum hedge height of twelve feet so long as the hedge is neatly pruned and maintained in a healthy and vigorous condition.

Note: If your house is on a corner lot and is a waterfront property, then you are subject to the same rear yard requirements for a waterfront property.

**Fences, walls and hedges on street side of corner lots:**

If your house is on a corner lot where the rear yard is adjacent to a property that fronts the side street which is an arterial street then the fence, wall or hedge cannot exceed six feet in height. The fence, wall or hedge cannot extend into the front yard area or within five feet of the side property line along the side street.

If a driveway on the adjoining property is located within fifteen feet of your rear property line, then the fence, wall or hedge cannot be located within a triangle formed by a ten-foot line along the rear property line and a twenty-foot line along the side property line.

If your property is adjacent to another property that fronts the side street which is a local street and if the driveway on the adjoining property is within fifteen feet of your rear property line, then the fence, wall or hedge cannot exceed six feet in height.

You could increase the height of the fence to seven feet in height in any side yard if all the fence material above six feet in height consists of wood lattice with a weave that is approximately fifty percent open. The fence, wall or hedge cannot extend into any front yard area and cannot be located within a triangle formed by a ten-foot line along the rear property line and a twenty-foot line along the side property line.

If your house is on a corner lot that abuts a property that fronts the side street which is not an arterial or collector street as identified in the Foster City general plan, and where a driveway on the adjoining property is located within fifteen feet of the rear property line of the corner lot, then the fence, wall or hedge cannot exceed six feet in height, cannot extend into any front yard area, and cannot be located within a triangle formed by a ten-foot line along the rear property line and a twenty-foot line along the side property line, in order to insure proper pedestrian and vehicular visibility to the adjoining property.

**8. *Are there any exceptions to the standards?***

You may request that the planning commission grant an exception to the standards under the following circumstances:

- Your property has an unusual lot configuration or orientation with houses on abutting properties.
- The exception is necessary to allow the use and enjoyment of your property

- The proposed fence, wall or hedge configuration/height would be compatible with the design, appearance and scale of existing building and structures in the neighborhood.

## OTHER FAQs

### **1. *I have an existing hedge that does not conform to the city's height requirements. What am I supposed to do?***

If your hedge does not conform to the city's height requirements, you will need to prune it to meet city codes by January 1, 2016, unless an exception is granted by the planning commission.

### **2. *Can I keep my existing legal nonconforming fence or wall?***

If you have an existing legal nonconforming fence or wall, you can keep it until such time as twenty-five percent of the area of the fence or wall is replaced or remodeled, except that fences and walls which interfere with sight-distance at intersections need to conform to the most current regulations. If you replace or remodel any legal nonconforming fence or wall, it must conform to the fence regulations unless an exception is granted.

### **3. *I am considering installing an arbor above my entryway fence gate. What are the requirements?***

Front and side-yard fence columns, decorative objects, and light fixtures which do not obstruct the line-of-sight for drivers of vehicles may exceed the established front height restriction as follows:

- a. By one and one-half feet, including that over a fence gate that is at least five feet six inches in height, an arbor may be attached not to exceed twenty square feet that is one hundred percent open on two sides and at least fifty percent open on two sides, subject to architectural review and being maintained in good repair; or
- b. An arbor up to seven feet six inches in height may be constructed over a front yard fence gate or opening not to exceed four feet in width and two feet in depth, not to exceed eight square feet, that is one hundred percent open on two sides and at least seventy-five percent open on two sides, subject to architectural review and being maintained in good repair.

### **4. *Do I need a permit to install a fence and/or a wall?***

If the fence and/or wall does not exceed forty inches in height in the front yard and is constructed using City approved materials, then a permit is not required. Fences and/or walls that exceed forty inches in height are subject to approval by the Community Development Director. Also, note that only fences exceeding six feet in height, and masonry or concrete walls exceeding three feet in height will require a building permit.

**5. *How do I measure the height of my fence, wall or hedge?***

The height of fences, walls and hedges shall be measured from the side which has the highest finished grade level at the base of the fences, walls and hedges.

**6. *Can I construct my fence or wall using any material?***

Materials for construction of permanent fences and walls are limited to: redwood, cedar, brick, slumpstone, stucco, plaster, cement, wrought iron, or similar materials as determined by the community development director. Clear tempered glass or Plexiglas shall be allowed on rear and side yards of waterfront properties only.