



# MEMORANDUM

Agenda Item #: \_\_\_\_\_  
Meeting Date: 11/18/03

**TO: PLANNING COMMISSION**

**FROM: ALLAN RIGG, PLANNING DEPARTMENT**

**SUBJECT: POLICY REGARDING STACKED WALLS AND STRUCTURES**

**DATE: NOVEMBER 18, 2003**

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## Background

City Municipal Code Section 18.32.010 states that no fence or wall shall exceed a height of three feet six inches in the required setback adjacent to a public street in a residential zone. Per the same Code section, the Planning Commission can issue a special permit for a fence or wall to exceed this standard if it finds that the wall or fence will not adversely affect any other property.

The Planning Commission has received many requests by residents to install fences, walls, and pilasters exceeding this standard. The typical request is to install a wrought iron fence with pilasters and an entry gate that are six feet in height or greater at the property line.

In order to clarify the City Council's direction as to the approval process for these structures, this issue was discussed at the joint City Council/Planning Commission meeting on Wednesday October 25, 2000. The following is the direction from the City Council to the Planning Commission:

- In general, solid walls over 3.5 feet should not be allowed in the front yard setback
- If the neighborhood has a preponderance of fences with pilasters in the front yard setback, then the Planning Commission may allow similar improvements in the front yard setback
- The Planning Commission should only require the removal of an existing wall over 3.5 feet in the front yard setback if the project includes any work to the wall

We have recently received a number of proposals regarding structures in the setback adjacent to a street that have become a concern to staff. These proposals include a combination of multiple walls and/or fences that are built quite close to one another. The effect of these combined structures is the appearance of one large structure in the setback, which seems contrary to the intent of the code. We believe that structures too close to one another should be regulated under the referenced code section as to the combined height of the combined structures. For example,

three structures three feet in height and built up against one another would appear to be one structure nine feet in height.

Staff has created a general policy to regulate these combinations of structures. We have required that the separation between the two structures must be at least the height of the taller structure to qualify as two separate structures. For example, if a wall two-feet in height were proposed to be built next to a wall three-feet in height, the horizontal separation between the walls must be at least three feet (the height of the taller wall). This helps alleviate the aesthetics of the combined height but does not eliminate the look entirely.

A similar issue occurs when walls and fences are built close to one another in areas not within the setback. The City Code regulates structures over 6.5 feet anywhere on a property. If two structures 6 feet in height were built very close to one another, they could effectively function like a structure 12 feet in height and have significant aesthetic impacts.

There are a multitude of scenarios with different potential impacts. As we want to be consistent and conform to the intent of the Code, we would like to receive the direction of the Planning Commission in regards to this matter.