



**Town of Portola Valley**  
 Planning & Building Department  
 765 Portola Road  
 Portola Valley, CA 94028  
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## FENCE REGULATIONS SUMMARY

### Zoning Ordinance 2005-360

Zoning District	<1 acre districts	1 acre districts	2+ acre districts
<b>Fence Location</b>	<ul style="list-style-type: none"> <li>Domestic fences permitted on all property lines</li> <li>Domestic fences in riparian corridors to be set back 20' from the top of the creek bank</li> <li>Double fencing not permitted in setbacks</li> </ul>	<ul style="list-style-type: none"> <li>Domestic fences to be set back at least 25' from the front property line and permitted on all other property lines</li> <li>Horse fences permitted on all property lines</li> <li>Fences not permitted on slopes exceeding 20%</li> <li>Fences in riparian corridors to be set back 20' from the top of the creek bank</li> <li>Double fencing not permitted in setbacks</li> </ul>	<ul style="list-style-type: none"> <li>Domestic fences not permitted in required yards</li> <li>Horse fences permitted on all property lines</li> <li>Fences not permitted on slopes exceeding 20%</li> <li>Fences in riparian corridors to be set back 20' from the top of the creek bank</li> <li>Double fencing not permitted in setbacks</li> </ul>
<b>Height</b>	<ul style="list-style-type: none"> <li>4' in front yards</li> <li>6' in side and rear yards</li> <li>4' in side yards along streets</li> </ul>	<ul style="list-style-type: none"> <li>4' for all horse fences</li> <li>4' in front yards and 6' in side and rear yards for domestic fences</li> <li>4' in side yards along streets</li> <li>4' when adjacent to public trails and paths</li> </ul>	4' for all horse fences
<b>50% Opacity Limit</b>	<ul style="list-style-type: none"> <li>Fences in front yards and fences in side yards along streets</li> </ul>	<ul style="list-style-type: none"> <li>All horse fences</li> <li>Fences in front yards</li> <li>Fences adjacent to public trails and paths</li> <li>Fences in side yards along streets</li> </ul>	All horse fences

**Opacity, continued:**

- Fence members not to exceed a 6" width when viewed perpendicular to the plane of the fence for fences subject to an opacity limit.
- Retaining walls are exempt from opacity limits.

**Color Reflectivity:**

- Fence colors not to exceed 40% reflectivity, except for naturally weathered wood.

**Horse Fence Standards:**

- No more than three horizontal wood members, each not to exceed 6" in width or no more than four horizontal wood or wire members, each wood member not to exceed 4.5" in width.
- The cross sections of posts must not exceed 6" x 6"; such posts not to exceed 4' in height and generally spaced no closer than 5' apart.
- 6" x 6" wire mesh may be attached to a horse fence but shall not exceed the height of the horse fence.
- Opacity not to exceed 50%.
- Height not to exceed 4'.
- Gates attached to horse fences must conform to the height and opacity standards for horse fences and be of a similar design.

**Entryway Features:** Entryway features, including gates, must be setback one-half of the required front yard in districts requiring a minimum parcel area of 1 acre or more.

**Permits and ASCC Review:** Permits will be required for most fences. Permits will not be required when a fence is no more than 2 feet in height and 20 feet in total length.

Staff to review and act on most applications. ASCC to review applications and existing fences when:

- (1) Referred from town planning staff;
- (2) A property undergoes ASCC review and there is a substantial modification to an existing residence or site improvements of the property;
- (3) The proposed fence cannot conform to the regulations given the conditions on the parcel; or,
- (4) The fence will be located in the M-R or O-A districts. Specific requirements for these districts will be determined on a case-by-case basis with input from the Conservation Committee.

**Repairs or Replacement to an Existing Fence:** When a portion of a fence exceeding twenty five percent of the total length of fencing within required yards is damaged or voluntarily removed, any replacement fencing of that portion shall conform to the fence regulations pursuant to a fence permit.

ORDINANCE NO. 2005-360

ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PORTOLA VALLEY  
AMENDING TITLE 18 [ZONING] OF THE PORTOLA VALLEY MUNICIPAL CODE  
BY AMENDING CHAPTERS 18.04 [DEFINITIONS] AND SECTION 18.42.040  
[EXCEPTIONS TO REQUIREMENTS – FENCES AND WALLS] OF CHAPTER 18.42  
[ACCESSORY STRUCTURES], ADDING CHAPTER 18.43 [FENCES] AND  
REPEALING SECTION 18.54.020.C. [MEASUREMENT OF HEIGHT]

**WHEREAS**, the Town Council of the Town of Portola Valley wishes to revise its Zoning Ordinance to include new provisions for fences.

**NOW, THEREFORE**, the Town Council of the Town of Portola Valley (“Town”) does **ORDAIN** as follows:

1. Amendment of Code. Chapter 18.04 [Definitions] of Title 18 [Zoning] of the Town’s Municipal Code is hereby amended to add the following Sections:

**18.04.075 Building envelope.** “Building envelope” is the three-dimensional space on a parcel within which buildings and most other structures are required to be confined and which is defined by zoning ordinance regulations governing building setbacks and building heights.

**18.04.129 Domestic fence.** “Domestic fence” is a fence that is not a horse fence as defined in Section 18.04.215.

**18.04.155 Fence.** “Fence” is a structure made of wire, wood, metal, masonry or other man-made material, or combination thereof, including gates and posts, typically used as a screen, enclosure, retaining wall, or entryway feature, for a parcel of land or portion thereof.

**18.04.156 Fence opacity.** “Fence opacity” is the surface area of a fence that is impenetrable to light when viewed perpendicularly to the plane of the fence.

**18.04.215 Horse fence.** “Horse fence” is a fence that complies with the horse fence standards set forth in Section 18.43.060.

**18.04.555 Yard, required.** “Required yard” means an open space required by Subsections 18.52.010 A., B. or C. located between a parcel line and a building envelope.

2. Amendment of Code. Section 18.42.040 [Exceptions to Requirements – Fences and walls.] of Chapter 18.42 [Accessory Structures] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code is hereby amended to read as follows:

**18.42.040 Exceptions to Requirements — Fences.** Fences may be located within required yard areas subject to the provisions set forth in Chapter 18.43.

3. Addition to Code. Chapter 18.43 [Fences] is hereby added to Title 18 [Zoning] of the Town of Portola Valley Municipal Code to read as follows:

**CHAPTER 18.43  
FENCES**

**Sections:**

- 18.43.010 Purpose.**
- 18.43.020 Location.**
- 18.43.030 Height.**
- 18.43.040 Fence opacity.**
- 18.43.050 Color reflectivity and size.**
- 18.43.060 Horse fences.**
- 18.43.070 Entryway features.**
- 18.43.080 Fence permits and administration.**

**18.43.010 Purpose.** The purpose of the fence regulations is to ensure that fences in required yards in residential zoning districts conform to the following principles:

- Fences should be designed with consideration for the open space tradition of Portola Valley.
- Fences should be used sparingly in order to preserve a sense of the shared scenic resources of the community.
- Fences should be designed with respect for the movement of wildlife and the protection of views.
- Fence designs and materials should blend with the natural environment and maintain the natural and rural ambiance of the Town.

The above principles shall be followed by residents, Town Planning staff and the ASCC when designing or developing fences or considering fence permit applications.

**18.43.020 Location.**

A. In residential zoning districts fences may be erected in the following locations:

1. In districts requiring a minimum parcel area of less than one acre, domestic fences or fences consistent with the standards of a horse fence are allowed in required yards, including along property lines.

2. In districts requiring a minimum parcel area of one acre, domestic fences or horse fences are allowed in required yards, including along property lines, except that a domestic fence in a front yard must be set back at least twenty five feet from the front property line.

3. In districts requiring a minimum parcel area of two acres or more, only horse fences are allowed in required yards, including along property lines.

4. In addition to the above limitations, in districts requiring a minimum parcel area of one acre or more, domestic fences and horse fences in required yards shall be allowed only on slopes of twenty percent or less.

5. Along riparian corridors, fences shall be set back a minimum of twenty feet from the top of a creek bank. The top of the creek bank shall be determined on a case-by-case basis by Town Planning staff or the ASCC based on physical inspection of site conditions.

6. Double fencing (where two or more fences are placed parallel to one another often for the purpose of deterring deer or other animals) must be located within the building envelope of a parcel.

#### **18.43.030 Height.**

A. The height of a fence is the vertical distance measured from the surface of the actual adjoining ground to the top of the fence. For the purpose of applying height regulations, the average height of the fence along any unbroken run may be used, provided the height at any point is not more than ten percent greater than that normally permitted.

B. Fences in residential zoning districts are subject to the following height limits:

1. Fence heights shall not exceed four feet in front yards, six feet in side and rear yards, and four feet in side yards along road rights-of-way.

2. Horse fences shall not exceed four feet in height.

3. Fences adjacent to public trails and paths in districts requiring a minimum parcel area of one acre or more shall not exceed four feet in height.

C. A fence of normally permitted height under this section shall not be placed on top of fill designed so as to effectively increase the elevation of the top of the fence.

D. The height of a retaining wall, or a retaining wall with a fence erected on top of it, is measured from the exposed bottom of the wall to the top of the wall/fence.

E. The height of a fence placed on top of a fill supported by a retaining wall is measured from the top of the natural grade directly below the wall to the top of the fence.

**18.43.040 Opacity.**

A. Fences are subject to the following fence opacity limits:

1. In districts requiring a minimum parcel area of less than one acre, fences in front yards shall not exceed fifty percent opacity.

2. In districts requiring a minimum parcel area of one acre, domestic fences in front yards shall not exceed fifty percent opacity.

3. Fences in side yards adjacent to road rights-of-way shall not exceed fifty percent opacity.

4. Horse fences shall not exceed fifty percent opacity.

5. Fences adjacent to public trails and paths in districts requiring a minimum parcel area of one acre or more shall not exceed fifty percent opacity.

6. Fence members shall not exceed a six inch width when viewed perpendicularly to the plane of the fence for fences subject to an opacity limit.

7. Retaining walls are exempt from opacity limits.

**18.43.050 Color reflectivity.**

A. The reflectivity value for colors used on fences shall not exceed forty percent, except that naturally weathered wood may exceed such limit.

**18.43.060 Horse fences.**

A. Horse fences shall conform to the following standards:

1. There shall be no more than three horizontal wood members, each not to exceed six inches in width or no more than four horizontal wood or wire members, each wood member not to exceed four and a half inches in width.

2. The cross sections of posts must not exceed six inches by six inches; such posts shall not exceed four feet in height and shall be spaced no closer than five feet apart.

3. Six inch by six inch wire mesh may be attached to a horse fence but shall not exceed the height of the horse fence. Nothing else shall be attached to a horse fence that would violate the standards set forth in Section 18.43.060A and/or alter the visual characteristics of the horse fence.

4. Horse fence opacity shall not exceed fifty percent. See Section 18.43.040A4.

5. Horse fences shall not exceed four feet in height. See Section 18.43.030B2.

B. Gates attached to horse fences are exempted from Section 18.43.060.A1-3, but shall conform to height and opacity standards for horse fences and be of a similar design as a horse fence.

C. Horse fences that are also used as corral and pasture fences, must, in addition, comply with special requirements as set forth in the Town stable ordinance (Ord. 1988-242 Section 2 (Ex. A) (part), 1988; Ord. 1967-80 Section 1 (6207.4), 1967; Ord. 2001-338 Section 3 (part), 2001).

**18.43.070 Entryway features.** Entryway features, including gates, must adhere to the setback requirements set forth in Section 18.42.016.

**18.43.080 Fence permits and administration.**

A. Fence permits are required for construction of all fences built within required yards, except as otherwise specified in this section. Fence permit applications shall be made on a form provided by the Town Planning staff and shall be accompanied by plans demonstrating the design and materials of the proposed fence, the location of the proposed fence and any associated landscaping. A fee shall be paid to cover the cost of review by Town Planning staff, or on referral, by the Town Planner. Prior to approving a fence permit, Town Planning staff shall give written notice to owners of adjoining properties of the permit application. Prior to acting on a permit, Town Planning staff shall review the proposed design and location in the field, review the plans for conformance with the zoning ordinance and Design Guidelines, and consider comments from owner(s) of adjoining properties. Town Planning staff may take action on a permit or refer it to the ASCC. Written notification shall be given to owner(s) of adjoining properties at least six days prior to action by Town Planning staff or the ASCC. Any Town Planning staff decision may be appealed by an applicant or an owner of adjacent property to the ASCC. Any ASCC decision may be appealed by the applicant or an owner of adjacent property to the Board of Adjustment.

B. Fences within required yards that are no more than two feet in height, and no more than twenty feet in total length shall be exempt from this section but shall meet all other provisions of this chapter except Section 18.43.040 regarding Opacity.

C. The ASCC shall have the authority to review existing fences and fence permit applications under the following conditions:

1. Upon referral from Town Planning staff, pursuant to Section 18.43.080.A.

2. When acting on architectural review and site development permits, the ASCC shall consider and may require modifications to existing fencing on a property if the ASCC determines that there is a substantial modification to an existing residence or the site improvements of the property. If, in these situations, the ASCC determines that the existing fencing is not in conformity with current fencing standards, the ASCC may require conformity with the fencing regulations. In requiring conformity, the ASCC shall make the finding that the modified or replacement fencing will not result in an adverse effect on neighboring properties and reasonably adheres to the purposes of this chapter.

3. When a fence permit application demonstrates that the proposed fence cannot conform to the regulations given the conditions on the parcel, the ASCC may grant relief from the fence regulations. In making such determination, the ASCC shall as much as reasonably possible ensure the proposed fence achieves the purpose and principles of this chapter set forth in Section 18.43.010.

4. When a fence permit application is submitted for a proposed fence in the Mountainous-Residential (M-R) or Open-Area (O-A) zoning districts, the ASCC shall, with input from the Conservation Committee, make a determination of compliance based on the purposes of this chapter and the Fence Design Guidelines adopted by the Town Council.

D. When a portion of a fence exceeding twenty five percent of the total length of fencing within required yards on a property is damaged or voluntarily removed, any replacement fencing of that portion shall conform to the fence regulations pursuant to a fence permit.

4. Amendment of Code. Subsection C. of Section 18.54.020 [Measurement of height] of Chapter 18.54 [Building Bulk] of Title 18 [Zoning] of the Town of Portola Valley Municipal Code is hereby amended to read as follows:

C. Fence height measurement is subject to the provisions set forth in Section 18.43.030.A.

5. Repeal of Code. Subsections A and B of Section 18.42.040 [Exceptions to Requirements – Fences and walls] of Chapter 18.42 [Accessory Structures] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby repealed.

6. Repeal of Code. Subsection C of Section 18.54.020 [Measurement of height] of Chapter 18.54 [Building Bulk] of Title 18 [Zoning] of the Portola Valley Municipal Code is hereby repealed.

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NAS*



7. Environmental Review. This Ordinance is categorically exempt (Class 3) under the California Environmental Quality Act.

8. Severability. If any part of this Ordinance is held to be invalid or inapplicable to any situation by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance or the applicability of this ordinance to other situations.

9. Effective Date; Posting. This ordinance shall become effective thirty (30) days after the date of its adoption and shall be posted within the Town of Portola Valley in three (3) public places.

INTRODUCED: October 26, 2005

PASSED: November 9, 2005

AYES: Mayor Davis, Vice Mayor Toben, Councilmember Driscoll,  
Councilmember Comstock and Councilmember Merk

NOES: None

ABSTENTIONS: None

ABSENT: None

By:



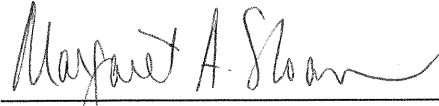
Mayor

**ATTEST**



Town Clerk

**APPROVED AS TO FORM:**



Town Attorney