

CC 06-18-2024

#13

Municipal Code
Amendments
Fences

Presentation

MCA-2024-001 – Fence Ordinance

Cupertino City Council
June 18, 2024



**CITY OF
CUPERTINO**

Chapter 19.48 Background

- Fence ordinance last modified in 2011
- Potential to streamline City review
- Updates for consistency with State law and internal practices/policies
- Minor corrections or edits included

Fence Locations and Height

In R1, RHS, R2, and R3 (up to Four Units)

- Height increased from 6 feet to 7 feet (CBC)
- Minor ornamental entry features allowed



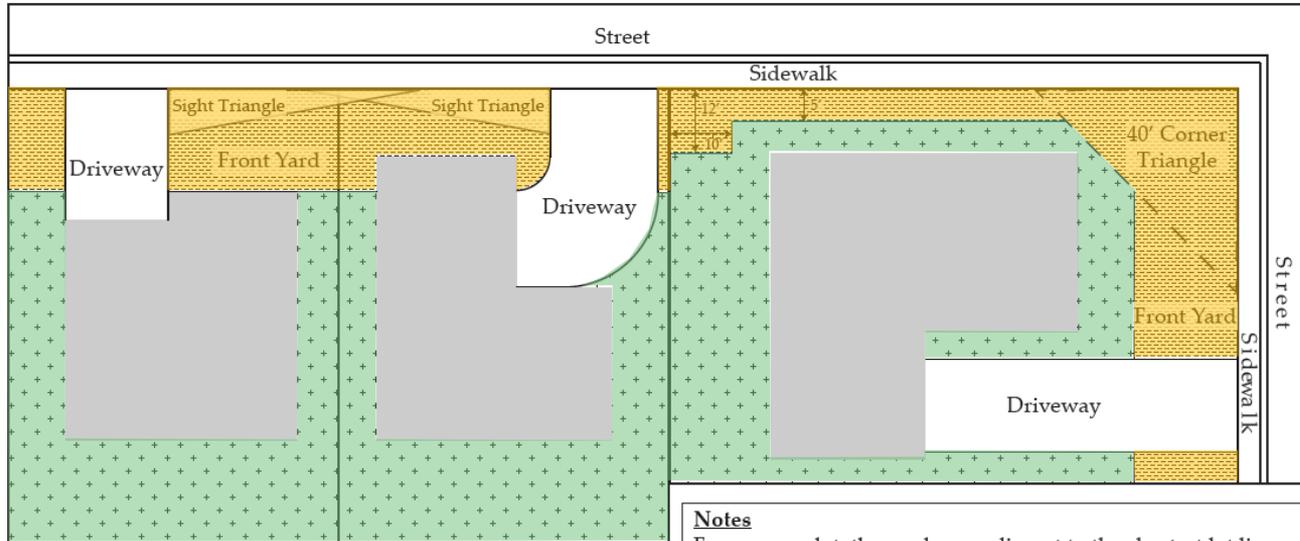
Appendix A: Fence Locations



Up to 3 foot fence allowed



Up to 7 foot fence allowed (hedges exempt in interior side and rear yards)
Up to 8 foot with neighbor approval and Building Permit



Notes

For a corner lot, the yard area adjacent to the shortest lot line abutting a street is the front yard area

Fence height includes lattices.

Minor ornamental entry features are allowed in yards abutting a street lot line. See section 19.48.030(G) for additional regulations.

Fence Locations and Height

In RHS, reduced area of non-open fencing from 30,000 sf to 10,000 sf (GP consistency)



Solid Board Fence



$\geq 75\%$ Open Fence

Design Standards

- Fencing materials identified
 - Allowed e.g. engineered plastic, brick and stone, wood, and wrought iron
 - Prohibited e.g. barbed wire and chicken wire, cloth, and plywood
- Design Review applicability clarified
- Maintenance requirements (i.e. maintain in good condition)

Roadway and Driveway Gates

- Current standards require a Fence Exception for all driveway gates
- Proposed standards allow driveway gates in most zones through Building Permit
- Standards added for location and design of gates:
 - Allow gates on residential properties setback 20' or behind building wall line
 - Allow gates in other development when separating private uses and setback

Definitions

- Modified
 - “Accessory Structure,”
 - “Fence,”
 - “Fence Height,”
 - “Residential District,” and
 - “Sidewalk Site Triangle”
- “Hedge” defined

Planning Commission Summary

- May 28th - Unanimously recommended Council adopt the ordinance
- Planning staff made minor edits to clarify standards discussed by Planning Commission

Recommended Actions

Conduct first reading to adopt the ordinance (Attachment A) to amend:

1. Chapter 19.48, Fences
2. Chapter 19.12, Administration
3. Chapter 19.08, Definitions

Includes finding that the actions are exempt from CEQA.