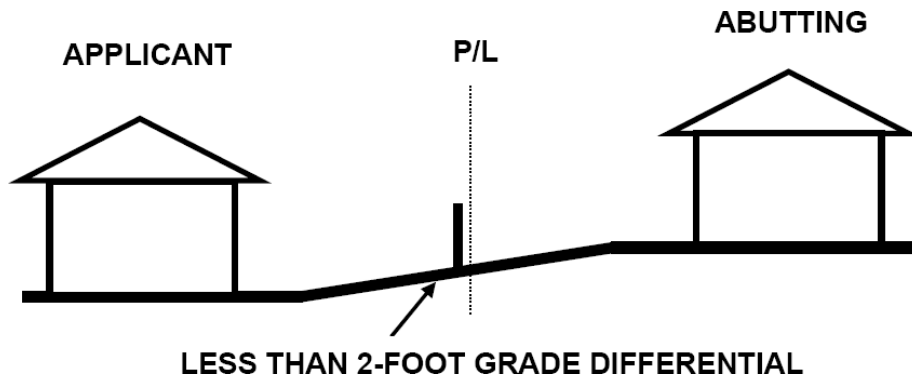


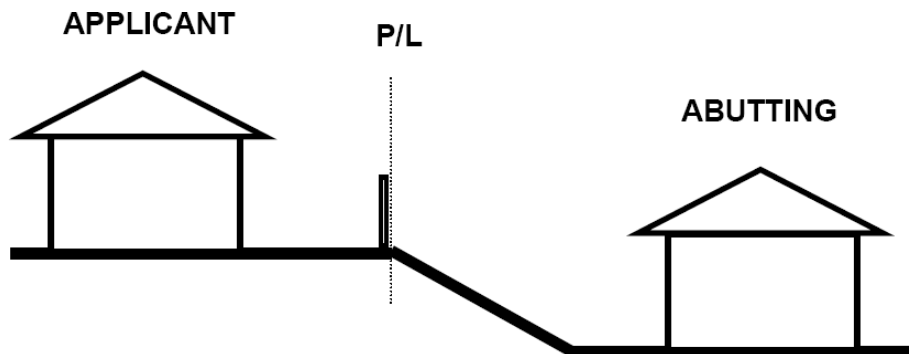
### FENCE / WALL PERMIT

This permit is required for any fence or wall constructed up to 7 feet in height within the rear yard or side yard setback that is contiguous with another parcel. A fence or wall is exempt from this permit if it meets any one of the following situations:

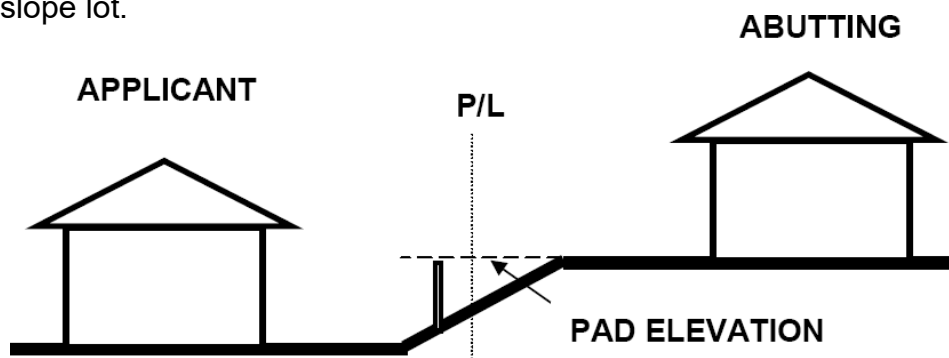
1. If the grade differential across the adjoining lots, measured perpendicular to the boundary between the two properties contiguous to or abutting the fence or wall does not exceed two feet.



2. If the lot on which the fence or wall is proposed is located upslope of any property contiguous or abutting the location of the fence, wall or hedge.



3. If the top of the fence or wall would be at an elevation lower than the pad elevation of the upslope lot.



## **ADDITIONAL INFORMATION**

### **Replacement of existing fences or walls:**

Existing fences or walls that have been damaged or deteriorated may be replaced without a permit if replaced at the same height or lower and with the same type of physical barrier (fence for fence or wall for wall), or with material which would be less obtrusive to potential views (i.e. stucco wall to wrought iron fence).

**NOTE:** A “fence” is defined as any physical barrier that allows the passage of at least 80% light and air. This includes wire mesh, steel mesh, chain link, louvered glass, transparent glass, stake and other similar materials. Please note that pursuant to Section 17.76.030(F)(5) of the RPVMC, chain link fencing is not allowed along the City’s arterial streets, such as Hawthorne Blvd., Palos Verdes Drive West, South, and East, Miraleste Drive, and Crenshaw Blvd. to name a few streets.

### **Fences or walls in the front setback:**

The Development Code restricts the heights of all structures, including fences and walls, as well as any hedge, to a height of 42 inches within a property’s front setback area. Exceeding this height within the front setback area would require the approval of a Minor Exception Permit or Variance. Talk to a City Planner for more information.

### **Hedges:**

Per Ordinance No. 546, adopted by the City Council April 1, 2014, “hedges” do not require a permit from the City. Outside of the front yard setback or intersection visibility triangle (corner lots), a hedge can grow to any height that does not significantly impair a view from surrounding properties. Hedges are limited to 42-inches in height within a property’s front yard setback area. Hedges found to significantly impair the views of surrounding properties will be required to be trimmed.

### **IMPORTANT**

- When filing your application, make certain the entire uniform application is completed and that all the required submittal materials are included, OTHERWISE THE APPLICATION MAY NOT BE ACCEPTED FOR FILING.
- Pursuant to Section 17.86.050 of the RPVMC, THE CITY WILL NOT ACCEPT ANY DEVELOPMENT APPLICATION(S) FOR A LOT OR PARCEL THAT IS IN VIOLATION OF THE CITY’S MUNICIPAL CODE, UNLESS AN APPLICATION IS SUBMITTED TO CORRECT SAID VIOLATION.
- Notice: CC&R’s are private restrictions or agreements. Therefore the City is not responsible for a property owner’s compliance with any CC&R’s that may govern their property and the City does not enforce private CC&R’s. The City recommends that property owners review their title report to see if any CC&R’s govern their property, and if so, consult such CC&R’s prior to submittal of their application. Additionally, property owners should review their title report for any other private property restrictions (Deed Restriction, Private Easement, etc.) that may govern their property.

## **FENCE / WALL PERMIT APPLICATION PROCESS**

### **Purpose of the Fence/Wall Permit:**

The purpose of a Fence/Wall Permit is to ensure that views from neighboring homes are protected from intentional or inadvertent impairment due to the placement of new fences or walls as defined in 17.02.040.

### **Initial Application Submittal:**

The following materials must initially be submitted for a Fence/Wall Permit:

- Residential Planning Application form, completed and signed by the property owner.
- Two (2) copies of a site plan that clearly shows the following information:
  - The dimensions of the lot
  - Topography of the lot, either by elevation call-outs or topographic lines
  - All property lines and streets
  - The dimensions (length and height) and location of all existing and proposed fences and/or walls.
- Two (2) copies of a side view drawing of the proposed fence or wall, including the proposed height, materials to be used, and if helpful, a section drawing identifying the relationship between the subject property and abutting properties.
- Pre-Application Fee<sup>1</sup> (This fee is doubled for any fence or wall installed prior to obtaining a permit.)
- Foliage Analysis Fee<sup>1</sup>

### **Initial Site Visit:**

After the above items have been submitted and deemed complete for processing, Staff will contact the applicant to schedule a site visit to assess the proposed fence or wall. One of two determinations will be made based on Staff's initial site visit:

1. Staff will determine that there will be **no** view impairment to an adjacent home caused by the proposed new fence or wall resulting in an approval of the Fence/Wall Permit. A Planning Clearance will be provided to the applicant with Conditions of Approval. **PLEASE NOTE** that any trimming required pursuant to the Foliage Analysis will need to be completed **prior** to approval of the Planning Clearance.
2. Staff will determine that a potential view impairment may result to an adjacent home as a result of the new fence or wall, and the applicant will be required to complete the formal Fence/Wall Permit application process (see below).

### **Formal Fence/Wall Permit Submittal (if required):**

If Staff determines that a formal Fence/Wall Permit application must be processed, the following additional items must be submitted by the applicant:

- Two (2) copies of a "vicinity map", prepared to scale, which shows all properties adjacent to the subject property (applicant). The "Vicinity Map" must be prepared exactly as described in the attached instruction sheet, and

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<sup>1</sup> Please refer to the City's [Master Schedule of Fees](#) for Planning Division application fees.

Two (2) sets of self-adhesive mailing labels and one (1) photocopy of the labels which list the property owner of every parcel which is adjacent to the subject property (applicant). The name and address of every property owner (including applicant) must be typed on 8 1/2" X 11" sheets of self-adhesive labels. The mailing labels must be keyed to the corresponding lots, as shown on the vicinity map described above. The property owners mailing list must be prepared exactly as described in the attached instruction sheet. If the property owners mailing list is not prepared by a Title Company or other professional mailing list preparation service, the applicant must sign and submit the attached "Certification of Property Owners Mailing List" form, and

- Formal application fee<sup>1</sup>

Once the above items have been submitted, Staff will conduct site visits to the adjacent properties in order to assess if a significant view impairment will be caused by the proposed new fence or wall. Based on the site visit and potential view impairment concerns, Staff will either approve, approve with modifications, or deny the Fence/Wall Permit.

#### **Required Approval Findings:**

In order to approve a Fence/Wall Permit, the following findings must be made per Section 17.76.030(B)(3) of the RPVMC:

- 1) That the fence or wall would not significantly impair a view from the viewing of another property or a view from public property. Views shall be taken from a standing position, unless the primary viewing area is more suitable to viewing in a seated position;
- 2) That all foliage on the applicant's lot which exceeds 16 feet or the ridgeline of the primary structure, whichever is lower, and impairs a view from the viewing area of another parcel shall be removed prior to permit approval; and
- 3) That placement or construction of the fence or wall shall comply with all applicable standards and requirements of the RPV Municipal Code and General Plan.

#### **Privacy/Pool Fencing Finding:**

Notwithstanding the above Finding No. 1, the Director can approve a Fence/Wall Permit if the above Finding No. 1 can be made and either:

- 4) Denial would constitute an unreasonable invasion of the privacy of the occupants of the applicant's property and there is no method by which the property owner can create such privacy through some other means permitted by the Development Code that would not significantly impair a view from a viewing area of another parcel; OR
- 5) Denial would prevent compliance with the swimming pool fencing requirements contained in Section 17.76.030.F.3 of the Development Code and there is no reasonable method to comply that would not significantly impair a view from the viewing area of another property.

The processing time for a formal Fence/Wall Permit typically takes 1 to 2 months depending on the accuracy and completeness of the information submitted to the City and the ability to conduct the required site visits.

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<sup>1</sup> Please refer to the City's [Master Schedule of Fees](#) for Planning Division application fees.