

CITY OF BRISBANE

FENCE EXCEPTION APPLICATION CHECKLIST

SUBMITTAL REQUIREMENTS. For the Planning Commission to thoroughly review a proposal, certain information is required from you, the applicant. You should be aware that incomplete applications will not be placed on the Planning Commission agenda.

➤ **ELECTRONIC SUBMITTAL REQUIRED:**

- Please submit all required items as PDF, Microsoft Office (Word, Excel, etc.), or JPG/TIF/PNG file types, as appropriate to the items listed below. You may compress or archive multiple file types into a single folder and upload the compressed (zipped) folder to our [electronic planning application](#). (Max 125 MB per file or folder.)
- Development plans MUST be submitted in PDF format;** CAD or other drafting file types will not be accepted. Development plan pages must be contained in one single PDF file; PDF files of individual plan pages will not be accepted. Please see the [Plan Preparation Guidelines](#) for digital file submittal standards.

ALL FENCE EXCEPTION APPLICATIONS:

The following information and documents are required for all fence exception applications, unless specifically waived by staff:

- APPLICATION – A completed electronic planning application. Applications may be electronically signed and may require a [Property Owner Authorization Form](#).
- APPLICATION FEE – Refer to the line P4 of the [Master Fee Schedule](#). Fee may be paid by Visa or MasterCard (please note 2% additional processing fee), or by check.
Note: Planning fees are non-refundable.
- SUPPORTING MATERIALS – The below documents and plans must be electronically submitted with any use permit application.
 - PROJECT DESCRIPTION – A complete project description, which shall describe all components and phases of the proposed project.
 - DEVELOPMENT PLANS – The below-listed development plans prepared in accordance with the Community Development Department's plan preparation guidelines:
 - Site Plan
 - Exterior Elevations – views of the proposed fence structure and any adjoining structures (with the existing/proposed grades indicated)

Note: Staff may waive certain plan components based on the specific project proposal. Consult with staff prior to submittal to confirm required components.

- SUPPORTING STATEMENTS** – A written statement of findings from Attachment A of this checklist, as applicable to the project and zoning district.
- PHOTOS** – Photos of the site and surrounding area. A list with the file name, date the photo was taken, the photographer, brief description, and diagram or site plan showing the point and direction for each photograph taken must accompany all photos. Photos may be submitted digitally in the following formats: GIF, JPG, JPEG, PNG, PDF, BMP, or TIF of the subject location and its surroundings to clarify your proposal.

CODE REFERENCES. Please refer to [Brisbane Municipal Code §17.32.050.B.2](#) for the circumstances under which a fence exception may be granted. Refer to the development regulations for the applicable zoning district to determine the required setbacks within which the fence height restrictions apply.

NOTIFICATION OF MEETINGS AND HEARINGS. Applicants must attend all hearings to present their case and respond to any questions or comments. The project planner will notify you of the date of the public hearing via the notice of public hearing, and will provide the meeting agenda and a copy of the agenda report the Friday before the scheduled hearing. Copies of the agenda and agenda report are also available at the Planning Department and on the City's website, www.brisbaneca.org by noon on the Friday before the scheduled hearing. Please contact the project planner if you have not received a copy prior to the meeting.

NOTIFICATION OF ACTION. The project planner will notify you by mail to confirm the action taken. Contact the project planner if you do not receive such notification.

APPEALS. Anyone may appeal the action of the Planning Commission to the City Council not later than 15 calendar days after the Commission's action. An application form and fee (see Line P47 of the current Master Fee Schedule) is required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY
DEVELOPMENT DEPARTMENT
planning@brisbaneca.org

Community Development Department Hours:
8 A.M - 5 P.M. Mondays, Tuesdays & Thursdays
8 A.M. – 8 P.M. Wednesdays
8 A.M. - 1 P.M. Fridays

Please call ahead to make an appointment.



**COMMUNITY DEVELOPMENT DEPARTMENT | CITY OF BRISBANE |
50 PARK PLACE | BRISBANE, CA 94005 | (415) 508-2120**

SUPPORTING STATEMENTS

FINDINGS REQUIRED TO GRANT A FENCE EXCEPTION

[Brisbane Municipal Code §17.32.050.B.2](#)

- a) The exception is necessary by reason of unusual or special circumstances or conditions relating to the property in order to gain full use and enjoyment of the property.
- b) The proposed fence, hedge or wall will not create a safety hazard for pedestrians or vehicular traffic.
- c) The appearance of the fence, hedge or wall is compatible with the design, appearance and scale of the existing buildings and structures in the neighboring area.

What unusual or special circumstances or conditions relating to your property make it necessary for you to install this high of a fence at this location in order to get full use and enjoyment of your property?

How will the fence (in terms of height, location and materials) be designed so as not to create a safety hazard by blocking the visibility of passing pedestrians, of vehicles entering or exiting driveways, or of vehicular traffic on the street?

How is the appearance of the fence (height, location, color, materials) compatible with the design and appearance of the existing buildings and structures in the neighboring area?



BRISBANE MUNICIPAL CODE EXCERPTS

[17.02.300 Fence.](#) "Fence" means an artificially constructed barrier of any material or combination of materials erected to enclose, screen or separate areas.

[17.02.400 Height.](#)

C. Fences and Walls. As applied to fences and walls, height means that side having the greatest distance as measured by a vertical line from the highest point of the fence or wall to a point directly below at finish grade. Where a fence is constructed upon or approximately parallel to and less than two (2) feet from a retaining wall, the fence shall be considered as part of the wall in measuring its height, which shall be the combined vertical distance of both the fence and the retaining wall.

[17.32.050 Fences, hedges and walls](#)

A. General Regulations. Fences, hedges and walls may be erected subject to the following conditions:

1. Unless otherwise provided elsewhere in this title, fences, hedges and walls not exceeding six (6) feet in height may be constructed in any district within any required setback area; provided, however, that on corner lots where visibility would be affected, fences, hedges and walls shall not exceed three (3) feet in height.
2. Where a fence is proposed to be constructed, or has been constructed, adjacent to city property, a boundary survey or other evidence of the location of the fence shall be submitted to the director of public works upon request if the director determines that a question exists as to whether the fence encroaches on public property.
3. When construction of a fence impairs the visibility of address numbers on a house, such numbers shall be relocated with approval of the fire prevention officer.

B. Exceptions.

1. The community development director may approve retaining walls located in any required setback area having a height (as defined in Section 17.02.400) in excess of six (6) feet and falling within any one of the following categories:
 - (a) The surface of the retaining wall is treated with coloring, texture, architectural features, trelliswork, or other means that will visually divide the height of the retaining wall into horizontal sections of no more than six (6) feet.
 - (b) Water-conserving, non-invasive landscaping of sufficient size at maturity will be planted and maintained to provide screening so that no more than six (6) feet of the height of the retaining wall would remain visible.
 - (c) The retaining wall is located on a cut slope so that it is not readily visible from off the site.

2. All other exceptions to the general regulations set forth in Subsection 17.32.050(A) shall require approval by the planning commission. Application for such exception shall be filed with the community development director and shall be accompanied by payment of a processing fee in such amount as established from time to time by resolution of the city council. The planning commission may grant the exception upon making all of the following findings:
 - (a) The exception is necessary by reason of unusual or special circumstances or conditions relating to the property in order to gain full use and enjoyment of the property.
 - (b) The proposed fence, hedge or wall will not create a safety hazard for pedestrians or vehicular traffic.
 - (c) The appearance of the fence, hedge or wall is compatible with the design, appearance and scale of the existing buildings and structures in the neighboring area.

