

CITY OF KIRKLAND

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**DEPARTMENT OF PUBLIC WORKS
PRE-APPROVED PLANS POLICY**

Policy R-16: FENCE REQUIREMENTS IN RIGHT-OF-WAY

GENERAL REQUIREMENTS

Construction of any fence over six (6) feet in height requires a building permit.

FENCES ON PRIVATE PROPERTY

The regulations below are a summary. If there are special circumstances on your property, please check with the Planning Department to determine if a modification may be available to your particular circumstances.

- a. Fences are allowed to be located anywhere on private property, subject to the following limitations:
- b. Fences located outside of required setbacks yards may not exceed the maximum structure height established in the Zoning Code for the zone in which the fence is located.
- c. Properties abutting a neighborhood access or collector street may not have a fence over 3.5 feet in height within the front yard. On corner lots with two required front yards, this restriction shall apply only within the front yard adjacent to the front façade of the structure.
- d. A detached dwelling unit may not have a fence over 3.5 feet in height within 3 feet of the property line abutting a principal or minor arterial except where the abutting arterial contains an improved landscape strip between the street and sidewalk. The area between the fence and property line shall be planted with vegetation and maintained by the property owner.
- e. Fences along rear and side property lines and within required rear and side setback yards may be no higher than 6 feet.
- f. The combined height of a fence and retaining wall within 5 feet of each other in a required yard may be a maximum of 6 feet in height. A modification may be available if the Building Code requires a guardrail, this modification must be approved by the Planning Department prior to installation (Zoning Code Section 115.115.3.g2).
- g. A fence may not be placed closer than 15 feet to any street curb, or the edge of the street pavement if no curb exists, unless the location of the property line can be shown with a survey or other reasonable means to the satisfaction of the Planning and Public Works Departments, in which case the fence may be located on the property line or within the boundaries of the private property.
- h. Fences over 3 feet in height may not be located within the areas on each side of streets and driveway at intersections (sight triangle); for more specific information about sight distance triangles, see Public Works pre-approved plans policy R 13-Intersection Sight Distance.
- i. For properties located along the Lake Washington shoreline, fences may not be located within a required high waterline setback yard or within any portion of a north or south property line yard which is coincident with the high waterline setback yard.
- j. Fences may not be located in a stream, wetland or their associated buffers or a Native Growth Protection Easement (NGPE).

FENCES WITHIN RIGHTS-OF WAY

Construction of any fence in the public right-of-way requires a no fee Right-of-way Permit and a City Hold Harmless Agreement (recording fee required). The City may require fences built within rights-of-way to be removed at any time that the right-of-way is needed for public use. The City will not be held responsible for any damages resulting from the construction of a fence within a right-of-way.

No fence shall be installed within the right-of-way that prevents or hinders access to the water meter for access or inspections.

Except for those installed by the City, fences may not be placed within public rights-of-way unless:

- a. They are set back at least 15 feet from any street curb, or if no curb exists, the edge of the street pavement and a written determination is made by the Public Works Department that the location of the fence will not obstruct future or existing right-of-way or utility improvements;
- b. They are no higher than 6 feet and do not exceed 3.5 feet if located within the right-of-way adjacent to the front yard setback abutting a neighborhood access or collector street as outlined in c above;
- c. They are 3 feet or less in height if located within the areas on each side of streets and driveways at intersections (sight triangle); for more information about sight distance triangles, see Public Works Pre-Approved Plans Policy R-13: Intersection Sight Distance; and
- d. Fences located behind the sidewalk shall not be higher than 3.5 feet and shall not exceed 3 feet in height if located within the sight triangle as determined in the Public works Pre-Approved Plans.