



Fences and Retaining Walls

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Fences

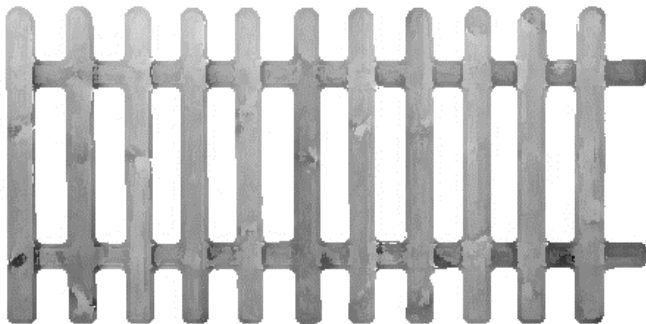
A fence is defined as “constructed or composed of materials joined together in some definite manner in which the prime purpose is to separate, partition, enclose, or screen.”¹ Hedges and other vegetated screening methods are not regulated as fences.

Where can you put your fence?

Fences must meet setback requirements from property lines unless exempt, in which case they may be placed at the property line. See the table below.

Zone	Height Exempt from Setbacks
all other zones	6 feet or less ²
commercial-industrial or aviation-related zones	8 feet or less ³
Guemes Island	see note below

On Guemes Island, fences that are more than three feet tall must be 50% open to be set within 10 feet of the front lot line.⁴ A fence that is less than 50% open and more than three feet tall must be setback at least 10 feet from the front lot line. A 50% open fence is one like the following, which allows light to pass through:



Additionally, in shoreline areas, fences must be set back at least 35 feet from the ordinary high water mark.⁵

When is a building permit required?

A building permit is required for any fence over **seven feet** tall.⁶

A fence that requires a permit may also require an engineered design because there is no standard method of constructing fences outlined in the code.⁷

Retaining Walls

A retaining wall is a wall that is built to keep the land behind it from sliding.⁸

Where can you put your retaining wall?

Retaining walls four feet or less in height are exempt from setbacks in all zones, and may be placed at the property line. All other walls must comply with setbacks.

When is a building permit required?

A building permit is required for any retaining wall over **4 feet** in height, as measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or holding back flammable or combustible liquids.

Even when exempt from the requirement to obtain a building permit, it’s important (and required) to construct the retaining wall consistent with the building code.⁹

When a permit is required, the construction documents will mostly likely be required to be prepared by a licensed engineer.¹⁰

¹ SCC 14.04.020, definition of “fence.”

² SCC 14.16.810(1)(b).

³ SCC 14.16.810(1)(b).

⁴ SCC 14.16.360 and SCC 14.04.020, definition of “Setback, front.”

⁵ A fence is considered an accessory use to a residence under the existing Shoreline Master Program.

⁶ IBC 105.2.

⁷ IBC 106.1.

⁸ Merriam-Webster dictionary.

⁹ IBC 105.2.

¹⁰ IBC 107.2.