

Article 5

Article 5-2 WALLS, FENCES

5-2-1 Placement Regulations.

5-2-2 Design, Construction, Maintenance and Development Standards.

Walls or fences include any **structure** intended for confinement, prevention of intrusion, boundary identification, or screening of activity. Screening devices are any **structure** installed to conceal refuse, mechanical equipment, parking (service and loading bays or lanes), multi family habitation and commercial or industrial activities from **adjacent** residential districts and from **street** view.

5-2-1 Placement Regulations

A. No **walls**, **buildings**, or other obstructions to view in excess of two (2) feet in height shall be placed on any **corner lot** within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty-three (33) feet from the intersection of the **street** right-of-way lines.

B. Height of **walls** and fences in residential **districts** shall be measured from the lowest **adjacent grade**, except when **adjacent** to an **alley** or **street** right of way which has a higher grade than the **adjacent** site. Then the height shall be measured from the top of the crown of road or **alley** (if no curb). Height of screening devices shall be measured from the highest **adjacent grade**.

5-2-2 Design, Construction, Maintenance and Development Standards

A. DESIGN CRITERIA.

1. All fences or **walls** shall be located entirely upon the private property of the persons, firms or corporation constructing, or causing the construction, of such fence unless the owner of the property adjoining agrees, in writing, that such fence or **wall** may be erected on the division line of the respective properties.

2. Any fence or **wall** constructed so as to have only one elevation “finished,” which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the **adjacent** property.
3. Outdoor storage areas for materials, trash, equipment, vehicles or other similar items shall be provided with a masonry **screening wall** six (6) feet in height.
4. Parking areas shall be screened from **street** view by masonry **walls** or berms to a minimum height of three (3) feet above the highest finished **grade** (may be supplemented by up to twenty five (25) percent intermittent landscaping).
5. Masonry **walls** six (6) feet in height shall be installed along interior boundaries of a site **adjacent** to or across from a residential **district**.
6. The minimum separation between fences and/or walls shall be twenty (20) feet. Any fence or wall constructed within twenty (20) to fifty (50) feet of another fence or wall shall have a maximum of four (4) feet of masonry and shall use view fencing for the remaining portion of the fence or wall. This regulation does not apply to retaining walls that do not extend above ground level.

B. CONSTRUCTION MAINTENANCE.

1. Every fence or **wall** shall be constructed in a substantial, workmanlike manner and of a substantial material reasonably suited for the purpose for which the fence or **wall** is proposed to be used. Every fence or **wall** shall be maintained in a condition of reasonable repair and shall not be allowed to become or remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence or **wall** which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance and the Chief Building Official, or his designee, shall commence proper proceedings for the abatement thereof.
2. No fence may be constructed of combustible materials, erected, placed or located to serve as a perimeter fence if within four (4) feet of a property line, except that gates for such fences may be of a combustible material provided the gate is no wider than twelve (12) feet.
3. Additional ~~criteria requirements~~ for fences and walls apply as follows ~~specified use types and conditions are required~~:
 - a. In residential and agricultural **districts** with residential uses, no open wire fences, including chain link fences are allowed in a front yard and the maximum height of any freestanding **wall** or fence in a required front **yard** shall be three (3) feet except for walls that create a **portal** which shall be designed as an integral component of the **portal** fixture, as determined in the required Design Review process. In rear and side **yards**, the maximum height shall be six (6) feet.

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- b. All fences in a side or rear **yard** of a **lot abutting** an **alley** must allow for a three (3) foot deep by eight (8) foot wide inset with gate for storage of garbage cans.
 - c. Exterior boundaries of **mobile home subdivisions** and **mobile home parks** shall be bounded by a six (6) foot high masonry **wall**. Land between the wall and the public **street** improvement shall be landscaped with **street** trees and other landscaping materials, and shall be maintained by the owners or tenants.
 - d. In I-1 and I-2 **districts**, **walled** areas for storage of materials and equipment may include three (3) strand barbed wire or barbed tape for maximum security, (maximum eight (8) foot height).
 - e. All utility substations, wells, storage facilities, and other utilities shall be screened from view by a solid masonry **wall** or landscape screen.
4. Open wire fences exceeding the otherwise permitted heights may be built around schools and other public or quasi public facilities when necessary for the safety or restraint of the occupants.
5. Open wire fences exceeding the otherwise permitted heights may be built around tennis courts or similar recreational facilities such as pickle ball courts by **Use Permit** or administrative approval, dependent upon the following criteria:
- a. A **Use Permit** is required for open wire fences around tennis courts or similar recreational facilities such as pickle ball courts that are located within five hundred feet (500') of the nearest property line of any property zoned or platted for single-family residential development;
 - b. A **Use Permit** is not required for open wire fences around tennis courts or similar recreational facilities such as pickle ball courts where there is no residentially zoned property line within five hundred feet (500') of the tennis court.
6. A building permit must be obtained prior to the installation of any fence that exceeds six feet (6') in height.
7. Open wire fences, including chain link fences are not permitted except as expressly provided in this Article or elsewhere in the Zoning Ordinance. Open wire fences including chain link fences are permitted within the City as follows:
- a. In the AG and AU zoning districts subject to the terms and limitations in this Article;
 - b. On residential lots within subdivisions recorded prior to 1975, chain link fencing is permitted on single-family residential lots less than 20,000 square feet in area, subject to the following development and design standards:
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- The chain link fence shall include opaque screening with a woven density of no less than eighty percent (80%). Opaque screening shall consist of slats of wood, metal, vinyl, or composite material with integral color, powder coating or other method of design and manufacturing to minimize wear and maintenance and to maintain the aesthetic quality of the fencing. Use of fabric, tarpaulin, or similar non-rigid material is prohibited.
 - Chain link fencing and opaque screening shall be maintained in good condition and free from wear and decreased aesthetic quality. Opaque screening shall be replaced upon finding by the Planning Administrator, or their designee, that the original integrity of the fencing has degraded to become visually blighting to the neighborhood or area.
 - Chain link fencing shall meet the location, height, and traffic visibility requirements of this Article.
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