

ARTICLE 5.5 – FENCES, HEDGES AND WALLS

SECTION 5.5.001 - PURPOSE

The purpose of establishing standards for fences, hedges, and walls are to protect certain uses from intrusion, to protect the public from uses which may be hazardous, and to increase compatibility between different land uses by visual screening.

SECTION 5.5.002 - REQUIRED AND PERMITTED FENCES, HEDGES AND WALLS

- A. Visual Obstruction Prohibited - No fence, hedge or wall shall be placed to create a visual obstruction to vehicular traffic, and the provisions of Article 5.6 shall apply.
- B. Front Yards of Residential Uses and All Uses in Residential Zones – Fences and walls not greater than four feet (4') in height, shall be permitted on or within front yards, provided they do not obscure vision as provided in Section 5.6.002. An exemption may be granted by the Community Development Director/Planner pursuant to Section 5.5.003 of this Code.
- C. Side and Rear Yards of Residential Uses and All Uses in Residential Zones - Fences and walls not greater than six feet (6') in height shall be permitted within all rear and side yards of interior and corner lots, except that they shall not be located closer than twenty feet (20') to the street property line of a reverse corner lot, unless it meets the provisions of Sections 5.3.004(B) and 5.5.002(B) above.
- D. Front, Side and Rear Yards of Nonresidential Uses - In the case of nonresidential uses in nonresidential zones, fences and walls not to exceed six feet (6') in height may be located or maintained in any required yard, except where the requirements of the sight triangle apply. Additional fence, hedge or wall height may be required as set forth below. The side and rear yards of all non-residential uses shall be screened as follows:
 - 1. When abutting a residential use, a solid wall or fencing not exceeding six feet (6') in height shall be located along side and rear yards of any non-residential use or land use zone. Additional height of up to ten feet (10'), or twelve feet (12') for outdoor storage areas, may be required by the review authority to address privacy, noise, screening, or other compatibility issues. Fences exceeding six feet (6') in height shall obtain a Building Permit and be permitted to a height no greater than twelve feet (12').
- E. Swimming Pools - Yard areas containing private swimming pools shall be fenced to discourage unsupervised access and use by small children. Such fencing shall be a minimum of six feet (6') high and equipped with a self-closing and self-latching gate. Latching devices are to be located at a minimum height of four feet (4'). Such fencing may be omitted where building walls without doorways abut the pool area, provided that the entire perimeter of the pool area is secured.
- F. Mechanical Equipment - When located outside of a building, support equipment including air conditioning and heating devices, but not including plumbing or exhaust vents, or chimneys, shall be screened to the height of the particular piece of equipment, as follows:
 - 1. Roof-mounted equipment shall be screened by architectural features from the view of abutting streets.

2. Equipment at grade when located on the ground adjacent to a building, mechanical equipment shall be screened by landscaping, by a wall or fencing from the view of the street or surrounding properties.
- G. Outdoor Storage - Outdoor storage in Commercial or Industrial Zones shall be screened on all sides by a wall or sight obscuring fencing to the height of the stored items, but in no event to exceed twelve feet (12').
- H. Utility Substations - Utility substations not within an enclosed building or structure, in or abutting residential zones, shall be secured and screened.
- I. Right-of-Way Encroachment – Fences may encroach on a public right-of-way only by agreement with the City in accordance with applicable City Ordinances.

SECTION 5.5.003 - HEIGHT EXEMPTIONS

- A. Front Yard Fence and Wall Waivers. Waiver of the front yard fence height limits may be sought by letter to the Community Development Director/Planner by any person who proves that equal aesthetic qualities may be attained by other designs. The Community Development Director/Planner shall consider such requests on the basis of the Substitute Plan using the procedures in Article 9.2 of this Code. The Substitute Plan must:
 1. Provide adequate vision clearance for automobiles, both those passing on the abutting streets and those leaving the development site;
 2. Include landscaping of the area between the curb line and the fence line;
 3. Not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.
- B. Backstops are exempt from the Building Permit requirement and twelve-foot (12') height limitation.

SECTION 5.5.004 - SCREENING MATERIAL

Where screening is required to be a wall or fence, the following materials may be substituted, except where screening is required adjacent to a residential use or zone.

- A. Landscape Screen - Screening plant materials may be substituted for a wall or fence, unless a wall or fence is required by Article 5.6 or by the review authority.
- B. Berms - A landscaped berm may be substituted for a wall or fence provided that the combination of berm and landscaping is no less than the required height of the fence or wall, and that the berm is constructed with a maximum slope of two to one (2:1), with side slopes designed and planted so as to prevent erosion, and with a rounded surface a minimum of two feet (2') in width at the highest point of the berm, extending the length of the berm. The berm is to be planted with shrubs or lawn.