

4.15 Fences, Walls, and Hedges

4.15.1 General regulations.

4.15.1.A Location and Maintenance

4.15.1.A.1 All fences must be located on the property of the owner constructing them, unless adjoining property owners jointly sign a letter stating the agreement to construct and maintain a fence on the property line.

4.15.1.A.2 The owner of a fence or visual screen, consisting of materials requiring painting, staining, or other significant periodic maintenance, shall be responsible for all maintenance of the fence.

4.15.1.A.3 Hedges or living fences shall be maintained so as not to encroach upon neighboring properties, sidewalks, right-of-ways, or hinder the vision of a vehicle driver.

4.15.1.B Clear View of Streets. Fences, walls, and hedges must conform to the provisions of Section 4-14 of this chapter.

4.15.1.C Building approval from Zoning Administrator and or Planning and Zoning is required for all fences, walls, entryway or driveway entrance structures over six (6) feet in height.

4.15.1.D 'Fence Height' is the vertical distance as measured from the ground level at the lowest grade level within four (4) feet of either side of such fence to the upper-most portion of the fence.

4.15.1.E Materials. Permitted fencing materials include wood, masonry, metal, vinyl, and chain-link. Fencing shall be of materials originally intended for residential neighborhood fencing and shall not include materials intended for other purposes.

4.15.1.E.1 Livestock fencing, including barbed and low voltage electrical wire, and is permitted in Rural Residential and Agricultural Zones or in Residential Zone legal non-conforming use of animals, when associated with the containment of animals.

4.15.1.E.2 Fencing and/or walls six feet (6') in height, including protective gates, shall be required around swimming pools, and similar structures that do not have a safety cover that does not comply with (*International Residential Code ASTM F1346 - 91(2010)*).

4.15.1.E.2.a Spas, swim spas, hot tubs and swimming pools that have a safety cover which complies with the ASTM F-1346 of the International

Residential Code, (*ASTM F1346 - 91(2010) Standard Performance Specification for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs*) are recommended to have as minimum, a four (4) foot wall although not required.

4.15.1.E.3 Masonry walls and retaining walls shall meet the current minimum standards of the Uniform Building Code at the time they are constructed.

4.15.1.E.3.a Any embankment to be retained that is over 48 inches in height shall be stepped so that no individual exposed retaining wall exceeds 36 inches in height, and each intervening step is a minimum width of 36 inches.

4.15.1.E.3.b Exception: If professional engineering can show otherwise and Planning Zoning review and approve the plans.

4.15.1.E.4 Single and tiered retaining walls exceeding (4) feet in height, measured from the lowest existing grade including the footing, shall require a building permit and depending on soils, slope and surcharge, may require professional engineering.

4.15.2 Zoning district height and setback regulations.

4.15.2.A Regulations for fences, walls, and hedges contained in this section apply to the R, RR, and A zoning districts. For properties zoned C, RZ, HRZ, and RD, the height, location and design of fencing shall be determined during Conditional Use Permit application review, and regulated under an approved CUP.

4.15.2.B Front Yards. The following are allowed on the front property line or in the front yard: fences, walls and hedges with a maximum height of four (4) feet; pedestrian gates and trellises used as entryway features, not exceeding eight feet in height, three feet in depth or five feet in width; and a ranch or farm style entrance, constructed of poles or posts not exceeding 18 feet (18') in height, or columns with a cross section no more than three feet by three feet (3'x 3') which do not exceed nine feet (9') in height, and where any top horizontal pole is no less than fifteen (15') feet above driveway grade to allow emergency access. Any gate within such an entrance shall not exceed four (4) feet in height unless the gate encloses livestock in which case the gate shall not exceed six (6') feet in height. All structures permitted by this subsection must meet the requirements of section 4-14 of this chapter.

4.15.2.C Side and Rear Yards. Walls, fences and hedges with a maximum height of six (6) feet are allowed in the side or rear yard.

4.15.2.D Corner Lots. Fences, walls, and hedges with a maximum height of six (6) feet are allowed in the front yard or street side setback if:

4.15.2.D.1 The lot upon which the fence is located is less than fifteen-thousand (15,000) square feet in area; and

4.15.2.D.2 Not more than thirty (30) percent of the front yard or forty (40) percent of the street side setback is enclosed by the taller fence, and

4.15.2.D.# A minimum setback of three (3) feet from the front property line is provided; and

4.15.2.D.4 The fence, wall or hedge meets the requirements of section 4-14 of this Chapter.

4.15.2.E Livestock and agricultural fences sufficient for livestock retention greater than six (6) feet in height maybe permitted within a front yard setback so long as they do not obstruct the clear view of intersecting streets and must conform to the provisions of Section 4-14 of this chapter.