

NEW SECTION:

17.50 Clear View Area and Fence Requirements

17.50.010 Purpose.

The following standards will govern the height and location of fences, walls, plant growth, or other obstructions to provide adequate open vision of vehicular and pedestrian traffic.

17.50.020 Clear View Area

A clear view area shall be maintained at the intersection of every street, whether public or private, and at the intersection of every driveway with a public or private street. The clear view provisions are considered life safety standards and shall supersede any conflicting provisions of this title.

No provision of this section shall be construed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence, wall, or other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.

- A. The clear view area for a **street intersection** shall be determined by measuring forty (40) feet from the point of intersection of the back of curb lines, or if there is no curb then edge of asphalt lines, and then connecting the termini of those lines forming a triangle that encompasses a portion of the street right-of-way and the adjoining lot. Within that clear view area, the following shall apply:
 1. Solid fences, walls, sight obscuring vegetation and/or other sight obscuring devices shall not exceed two feet (2') in height above the back of curb lines, or if there is no curb then edge of asphalt lines.
 2. Chain link fences or fences which are seventy five percent (75%) or more open shall not exceed four feet (4') in height above the back of curb lines, or if there is no curb then edge of asphalt lines.
 3. Trees may be located or maintained in such area in excess of the height provided they are pruned clear of all branches between the ground and a height of eight (8) feet. Tree canopies or other growth shall not block signs or signals.
 4. No sign shall be allowed in the clear view triangle unless it is specifically permitted by this title, and it is determined by the City Engineer that it is not a safety hazard.
 5. No obstruction of any sort shall be allowed which interferes with the safety of pedestrians or traffic unless it is specifically permitted by this title, and it is determined by the City Engineer that it is not a safety hazard.
 6. No vehicle parking.

- B. The clear view area for the **intersection of a driveway and a street** shall be determined by first establishing the point of intersection of the driveway edge and the back of curb lines, or if there is no curb then edge of asphalt lines, then measuring ten (10) feet along the of the back of curb lines, or if there is no curb then edge of asphalt, away from the driveway, and ten (10) feet along the edge of the driveway in toward the property. A line is then drawn from the termini of the two (2) lines, forming a triangle. The curb line measurement may be reduced to six (6) feet where existing conditions will not permit ten (10) feet.
1. Solid fences, walls, sight obscuring vegetation and/or other sight obscuring devices shall not exceed two (2) feet in height above the back of curb lines, or if there is no curb then edge of asphalt lines.
 2. Chain link fences or fences which are seventy five percent (75%) or more open shall not exceed four (4) feet in height above the back of curb lines, or if there is no curb then edge of asphalt lines.
 3. Trees may be located or maintained in such area in excess of the height provided they are pruned clear of all branches between the ground and a height of eight (8) feet. Tree canopies or other growth shall not block signs or signals.

17.50.030 Front Yard Fences.

Notwithstanding the clear view area regulations listed above, fences installed in a front yard shall comply with all of the following requirements:

- A. A fence seventy five percent (75%) or more open is allowed up to six (6) feet in height within the front yard setback. The front yard setback is that area including side yards, between the front yard setback line and the front property line; and
- B. A fence which is not seventy five percent (75%) or more open is allowed up to four (4) feet in height within the front yard setback if located more than three (3) feet from any street right of way or sidewalk, whichever is closer to the primary building on the lot.

17.50.040 Rear and Side Yard Fences

- A. Rear yard. Fences and walls shall not exceed six (6) feet in height within any rear yard.
- B. Side yard. Fences and walls shall not exceed six (6) feet in height within any side yard beyond the front setback. Such fence, wall, or hedge shall be no closer to the street than the sidewalk or if no sidewalk, the property line.

17.50.050 Additional Height/Exceptions

- A. The planning commission may approve the erection of a fence to a height greater than six feet within any required rear yard or ~~interior~~ side yard upon a showing that the increased height is reasonably necessary to protect the property from an adjacent incompatible land use.
- B. When a fence, wall or hedge is located along a property line separating two lots and there is a difference in the grade of the properties on the two sides of the property line, the fence, wall or hedge may be erected or allowed to the maximum height permitted as measured from the higher grade.
- C. A fence enclosing a recreational facility (whether private or public), such as a tennis court, swimming pool, ball diamond, etc., may be allowed up to fourteen (14) feet in height, as long as it is "open style" and not site obscuring, is located at least five (5) feet away from the property line, and is not within the minimum front yard setback area.

17.50.060 Building Permit Required

Construction of fences and retaining walls must meet applicable requirements of Title 15 of this Code. A building permit must be secured for construction of all fences over six feet and retaining walls over four feet.

Delete related sections: 17.14.100, 17.16.100, 17.20.100, 17.24.100