

10-14-7: FENCE HEIGHT; OBSTRUCTION OF VIEW:

A. Purpose:

1. Fences, walls, hedges, trees, bushes or other obstructions serve properties by providing privacy and security, define private space and enhance the design of individual sites. Fences also affect the public by impacting the visual image of the streetscape and the overall character of neighborhoods.

The purpose of these regulations is to achieve a balance between the private concerns for privacy and site design and public concerns for enhancement of the community appearance, and to ensure the provision of adequate light, air and public safety.

B. Fence Regulations:

1. Permit Required: In all cases, a permit is required from the community development department.
2. Front Yards (From The Front Setback Line Of The Zone To The Front Property Line):
 - a. Fences or other similar structures, walls, hedges, trees, or bushes shall not exceed four feet (4') in height except as regulated in the sight triangle area requirements. See subsection C1, "Sight Triangle Area", of this section.
3. Interior Lots, Rear And Side Yards (Behind The Front Setback Line Of The Zone To The Rear Property Line):
 - a. Fences or other similar structures, walls, or hedges can be erected up to a height of six feet (6'). Any fence over six feet (6') up to a maximum height of seven feet (7') must have engineering by the contractor installing the fence or from the supplier of the fencing materials.
4. Corner Side Yards:
 - a. On corner lots, the side yard adjacent to the street may have a fence, wall, or hedge that is allowed up to a height of six feet (6'). All fences may be placed on the edge (private property side) of the sidewalk.
 - b. Sight triangle area requirements must be met in all cases.

5. Access:

- a. No fences, whether of wood, metal, masonry or concrete, nor other obstruction, including shrubbery (hedges, trees, bushes), nor any combination of materials, shall be erected or maintained which blocks the access from a front yard through both sides to the rear yard unless a gate approved by the community development administrator is installed in at least one side.

6. Retaining Wall:

- a. Where a retaining wall protects a cut below or a fill above the natural grade and is located on the separating lots, such retaining walls may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at that location if no retaining wall existed.

7. Maintained:

- a. All fences and retaining walls must be maintained in a state of good repair. Hedges and bushes must be kept trimmed and maintained not to exceed height of fence regulated at that location on the property.

8. Location:

- a. All fences, walls or hedges shall be erected entirely within the property lines of the property they are intending to serve, except all fences shall be allowed to be placed against the edge (private property side) of the sidewalk.

9. Exceptions:

- a. Fences required by state law to surround or enclose public utility installations, public schools or other public buildings.
- b. Fences for uses such as tennis or sports courts which may be a maximum of fifteen feet (15') high if the fence meets all of the required setbacks for an accessory building in the zone in which it is located.

C. Obstruction Of View:

1. Sight Triangle Area:

- a. Defined as that portion of a corner lot lying within a triangle area formed by measuring back along the property lines adjacent to the intersecting streets to a point on each property line twenty feet (20') from the intersection of said

property lines and then connecting the two (2) points and continuing through the park strip, curb and gutter to the edge of the street line where the gutter meets with the asphalt or if there is not a curb and gutter to the street edge thus establishing a third line.

2. Maintenance In Sight Triangle Area:

- a. It shall be unlawful for the owner, occupant or person in control of any corner lot in the city to erect, maintain or permit to grow any obstruction to the view of drivers of motor vehicles over a height of three feet (3') and all trees shall be trimmed so that no foliage hangs down closer than seven feet (7') to the ground within the "sight triangle area" of said lot, as defined in subsection C1a of this section.

3. Park Strips:

- a. Only trees listed on the public works department's list of approved trees may be planted in the park strip and a permit must be obtained from the public works department before said trees may be planted.

D. Violations:

1. The mayor or his appointee shall have the authority to order removal of any tree, plant, shrub, fence or other object that violates the provisions of this section. (Ord. 692, 11-7-2007)