

# CHAPTER FOUR

## ACCESSORY USES, SIGN REGULATION & USE SPECIFIC STANDARDS

### 4.1 ACCESSORY USES

#### J. Fences.

1. Fences in all residential zones, including the Residential Office (RO) district, shall meet the following standards:
  - a. Except as otherwise provided in the district regulations, fences in the required front yard setback shall not exceed thirty inches (30") in height. Such fences may be increased to forty-eight inches (48") maximum height if the fencing material is at a ratio of two-thirds ( $\frac{2}{3}$ ) open space to one-third ( $\frac{1}{3}$ ) closed space per square foot for that part of the fence extending above the thirty inch (30") height.
  - b. Unless the approval of the development required a landscape strip, fences up to six feet (6') in height are permitted within front yard setbacks along arterial or major collector roads provided they are in accordance with adopted corridor overlay zone standards, TEDS and all other engineering standards and meet the following minimum standards:
    - (1) Fences or walls four feet (4') or less in height consisting of an open design that has at least two-thirds ( $\frac{2}{3}$ ) open space to one-third ( $\frac{1}{3}$ ) closed space (*e.g.* picket and split rail fences), or a decorative wall, with no required landscape strip;
    - (2) Fences or walls over four feet (4') in height with a minimum five feet (5') wide planting strip between the fence or wall and right-of-way. The landscaped strip shall contain at least one (1) tree per forty feet (40') and have adequate ground cover; or
    - (3) Perimeter fences and walls in new developments must meet the requirements of Section 6.5.G., Residential Subdivision Perimeter Enclosures.
  - c. Perimeter fence(s) or wall(s) and landscaping shall be adequately maintained. Provisions for adequate maintenance shall be proposed with the development.
  - d. The Director shall review fences proposed under this paragraph in accordance with conditional use criteria. All fences shall meet all TEDS requirements.
  - e. On corner lots, that part of a backyard fence that extends to and along the side property line on the street side may be six feet (6') high, but are subject to the provisions of TEDS and other engineering standards.
  - f. On that part of the lot other than the required front yard setback area, fences may be erected to six feet (6') in height. Fences within a

required principal structure setback exceeding six feet (6') in height require a conditional use permit (see Section 2.13). Fences meeting principal structure setbacks shall not exceed eight feet (8') in height without a conditional use permit.

- g. The height of fences shall be determined by measurement from the ground level upon which the fence is located. Grade shall not be altered for the sole purpose of increasing fence height. An increase of up to two inches (2") in height shall be allowed when spacing for drainage under the fence is needed.
  - h. The height and location requirements of this Section may be modified as part of subdivision, planned development or conditional use approval.
  - i. For fences erected on retaining walls, the height of the retaining wall shall be included in the height of the fence. The Director may approve an increase in fence height with or without a retaining wall where the unique feature of a property would warrant such an increase and the increase would not be detrimental to surrounding public or private properties.
  - j. Fences and walls shall be constructed of materials approved by the Director. Acceptable materials include wire, wrought iron, plastic, wood and other materials with a similar look. Unacceptable materials that are visible include glass, tires, razor wire and/or concertina wire, or unconventional salvaged materials or similar materials. Electric fencing shall be allowed to contain large animals.
  - k. Pillars or other support structures for a fence shall be allowed to exceed the maximum fence height by up to one foot (1') at intervals no closer than eight feet (8').
2. Fences in all nonresidential districts shall meet the following standards. Location of these fences must be approved by the City Engineer to ensure that adequate sight distance is maintained.
- a. Fences to a height of six feet (6') may be placed anywhere on a parcel. The addition of not more than three (3) strands of barbed wire shall be allowed and shall not be considered in the height calculation.
  - b. Fences in excess of six feet (6') shall be considered a structure and shall comply with the International Building Code and all required setbacks.
  - c. Fences and walls shall be constructed of materials approved by the Director. Acceptable materials include wire, wrought iron, wood, plastic, concrete or other materials with a similar appearance. Unacceptable materials include glass, tires, razor or concertina wire and any other unsafe or unsightly materials.
3. A permit shall be required to construct a fence in any zone. All fences shall be constructed in a professional manner and shall be properly maintained.