
Sec. 30-1009. Fences and walls.

- (a) *Fences in zoning districts.* Fences or walls shall be allowed in all zoning districts subject to the restrictions set forth below:
- (b) *Residential districts.* For the purposes of this section, residential districts shall include: RSF residential single-family; RMF-6, RMF-12, and RMF-16 residential multiple-family; RT residential tourist; and residential increments of PUD residential planned unit development districts. Except as otherwise permitted herein, fences and walls shall be subject to the following:
- (1) Fences or privacy walls placed within required yards shall be limited to six feet in height except that no fence placed between the front building line and the front property line of lots or parcels less than 1.25 acres in size shall be greater than four feet in height.
 - (2) Fences or walls placed within the required rear yard of waterfront lots one acre or less in size shall be limited to four feet in height.
 - (3) Corner lots shall maintain sight distance triangle areas. Fences and walls are prohibited within these areas.
 - (4) Up to four six-foot entry posts may be incorporated as part of an approved fence in the front yard(s).
 - (5) Fences and walls shall be constructed of conventional building materials such as, but not limited to concrete block, brick, wood, decorative iron or steel.
 - (6) Coated chain-link fencing shall only be allowed in side yards and in rear yards. Coated chain-link fencing and/or chain link fencing is prohibited in front yards. Refer to article VIII for chain link fence criteria within commercial zoning districts.
 - (7) Fences and walls shall be constructed to present the finished side of the fence or wall to the adjoining lot or any abutting right-of-way.
 - (8) Barbed wire, razor wire, spire tips, sharp objects, or electrically charged fences shall be prohibited, except that the board of zoning appeals may allow the use of barbed wire in conjunction with chainlink fencing where it finds a security or hazard exists such as a utility substation, sewage treatment plant, or similar use.
- (c) *Agricultural districts.* For the purpose of this section, agricultural districts shall include: A agricultural and CON conservation districts. Except as otherwise permitted herein, fences and walls within agricultural districts shall be subject to the same fencing provisions as for residential districts.
- (d) *Commercial districts.* For the purpose of this section, commercial districts shall include: C-1/T, C-2, C-3, C-4, C-5, P public use district; and commercial parcels of PUD planned unit developments. Except as otherwise permitted herein, fences or walls shall be allowed subject to the following. Fences or walls in commercial districts shall be limited to eight feet in height and shall be permitted subject to the following conditions:
- (1) All fencing located in a front yard shall not be located within the required landscape buffer. All fencing located adjacent to an alley right-of-way may encroach five feet into the required landscape buffer.
 - (2) Fencing located adjacent to a right-of-way shall provide all code required landscaping along the side facing the right-of-way (50 percent if located along alley right-of-way).
 - (3) Except as otherwise permitted herein, chain link fencing is prohibited in all commercial zoning districts except within the Elkcam Circle zoning overlay as specified in article VIII.
 - (4) Split rail fencing shall be allowed within a landscape buffer as an embellishment.

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- (5) Barbed wire, razor wire, spire tips, sharp objects or electrically charged fences shall be prohibited except for utility substations, water and wastewater treatment plants, critical utility facility or similar use as defined by the city manager or designee.

(e) Fencing generally.

- (1) All fences and walls shall be of sound construction and shall not detract from the public health, safety and welfare of the general public.
- (2) All fences and walls shall be maintained in a manner that will not detract from the neighborhood or community.
- (3) No fence or wall within any district shall block the view of passing motorists or pedestrians so as to constitute a hazard.
- (4) Fences and walls shall be constructed of conventional building materials such as, but not limited to concrete block, brick, wood, decorative iron or steel, and chain link. Coated chain link and chain link fencing is prohibited in the front yards of residential zoning districts, and all commercial zoning districts except as specified above.
- (5) Fences and walls shall be constructed to present the finished side of the fence or wall to the adjoining lot or any abutting right-of-way. Where due to the presence of an existing fence or wall or continuous landscape hedge on the adjoining parcel, this provision may be administratively waived where said request has been requested in writing.

(6) When determined to be beneficial to the health, safety, and welfare of the public, the community development director may waive height limitations of fences and walls in all districts.

- (7) Existing ground levels shall not be altered for the purpose of increasing the height of a proposed wall or fence.
- (f) *Fence height measurement for all districts.* The height of a fence or wall located outside of the building line shall be measured from the ground level at the fence location. However, if the director determines that ground levels have been altered so as to provide for a higher fence, the director shall determine the ground level for the purposes of measuring the fence height. In determining whether the ground level has been altered for the purposes of increasing the height of the fence, the director may consider, but is not limited to consideration of, the following facts:
- (1) General ground elevation of the entire lot.
 - (2) In case of a lot with varying ground elevations, the average elevation over the length of the fence, and at points in the vicinity of the fence.
 - (3) The ground elevation on both sides of the fence. In measuring the fence height, the ground elevation on the side of the fence location that is at the lowest elevation shall be used as a point from which the fence height is to be measured.
 - (4) Fences or walls shall be permitted principal uses; however a fence or wall shall not, in any way, constitute a use or structure, which permits, requires and/or provides for any accessory uses and/or structures.
- (g) Fencing for public parks, public school athletic fields, and governmentally owned utility structures. Coated chain-link fencing is permitted for public parks, public school athletic fields, and governmentally owned utility structures.

(Ord. No. 02-33, § 9, 11-4-2002; Ord. No. 18-09, § 13, 5-21-2018; Ord. No. 21-01, § 2, 1-4-2021)

Editor's note(s)—Ord. No. 18-09, § 13, adopted May 21, 2018, changed the title of § 30-1009 from fences to fences and walls.