
SECTION 5.3 FENCING, WALLS AND SCREENING REQUIREMENTS

5.3.1 Purpose:

To encourage the most appropriate use of land and conserve and protect the privacy and value of adjacent permitted uses. Regulations are prescribed for the location and type of various screening devices to be used when required in the various zoning districts or in this Section in accordance with the following standards.

5.3.2 Screening Of Nonresidential And Multi-Family Areas:

- A. In the event that multi-family or non-residential uses side or back upon a single-family or a residential PD district, or in the event that any non-residential district sides or backs to a multiple-family district, a solid brick/masonry screening wall of not less than six feet (6'), nor more than eight feet (8'), in height shall be erected on the property line separating these districts. The purpose of the screening wall or fence is to provide a visual and protective barrier between the properties. The screening of a non-residential use, such as a church, school or other non-residential facility, authorized by this code to be within a zoning district shall provide screening to buffer it from the residential uses. Screening shall be a masonry wall, finished on both sides, located along the common property line and be a minimum of 6-feet in height. The City Council may approve an alternative screen during site plan approval provided the Council is satisfied that the non-residential use is adequately buffered from the adjacent residential property. (Ord. No. 03-143 § 8, 02-25-03)
1. The owner of the multi-family property shall be responsible for and shall build and maintain the required wall on the property line dividing the property from the one or two family zoning. This construction requirement applies only when multi-family is adjacent to residential uses.
 2. When screening is required between nonresidential and residential uses, it shall be the responsibility of the nonresidential use to construct and maintain the screening wall.
 3. Any screening wall or fence required under the provisions of this Section, under a Conditional Use Permit, Planned Development District, or other requirement shall be constructed of masonry, reinforced concrete, or other similar suitable permanent materials which do not contain openings. All wall or fence openings shall be equipped with gates equal in height and screening characteristics to the wall or fence.
 4. Alternative equivalent screening may be approved through the site plan approval process, Section 2.6. (Ord. No. 01-71 § 16, 07-21-01). A conservation buffer, not be less than 50-feet in width, may be approved by Council as alternative equivalent screening provided the owner shall maintain this area in natural condition. (Ord. No. 04-201, § 10, 04-13-04)
- B. All required screening walls shall be equally finished on both sides of the wall.
- C. Open storage of materials, commodities or equipment shall be screened with a minimum six-foot (6') fence or wall. See Section 5.8 for definition of outside storage. (Ord. No. 01-71 § 17, 07-21-01)
- D. In districts permitting open storage, screening shall be required only for those areas used for

open storage. A six-foot (6') screening fence or wall shall be provided and maintained at the property line adjacent to the area to be screened by one or a combination of the following methods:

1. Solid masonry (brick, concrete block or concrete panels)
2. P.V.C. screening
3. Wrought iron with solid landscape screening
4. Alternate equivalent screening may be approved through the site plan approval process under Section 2.6

E. Wall Standards for screening are as follows:

Masonry screening walls (or other acceptable method of screening) should be constructed between nonresidential and residential uses to help buffer the residential neighborhood, and to minimize pedestrian access to the rear (i.e., service/delivery) portions of the nonresidential buildings (e.g., to discourage children from playing in shopping center service driveways, getting into dumpsters, etc.).

Screening walls should be constructed of low maintenance, high quality materials, which are consistent with the exterior finish of the main building(s) in material and color. Where possible and economically feasible, screening walls around sales, storage, display and service areas, and around dumpster enclosures, should be extensions of the development's architectural design, as well as consistent with the exterior building finish in color and material. Painted or coated screening walls should be avoided due to high maintenance requirements.

No outdoor sales, storage or display (reference Section 5.4.9) may exceed the height of the screening fence or wall. Outdoor sales, storage or display which exceeds eight feet (8') in height shall require a Conditional Use Permit (see Section 3.20).

- F. Refuse storage areas which are not within a screened rear service area and which are visible from a public right-of-way for all nonresidential and multi-family uses shall be visually screened by a minimum six-foot (6') solid masonry wall on at least three sides (see Illustration 11) for refuse container enclosure diagrams). The fourth side, which is to be used for garbage pickup service, may provide an optional gate to secure the refuse storage area. Alternate equivalent screening methods may be approved through the site plan approval process, Section 2.6. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies. Adequate reinforced paved areas shall be provided for refuse facilities and their approaches for loading and unloading.
- G. Plans and specifications for screening and/or fencing around ground-mounted utility structures (e.g., transformers, natural gas regulating stations, etc.) shall be approved in writing by the affected utility company, and shall be submitted, along with an approval letter/document from the utility company, to the Planning and Zoning Administrator (or his designee) for review and approval prior to construction of said screening/fencing.

5.3.3 Fences In Residential Areas:

- A. Any fence or wall located to the rear of the minimum required front yard line shall not exceed eight feet (8') in height.
- B. Except as provided by (C) below, no fence or wall shall be permitted in front of any single-family or townhouse structure except platted lots within the Rural Residential district where

- the fence may be constructed to the front property line. No fence shall be erected in any front yard or side yard which is adjacent to a public street. No residential fence shall be closer than twenty feet (20') to a public street except in cases where the side or rear building line of the yards on continuous corner lots adjoin the fence may be constructed out to the property line of said side yard.
- C. Decorative fences with openings not less than fifty percent (50%) of the fence area and not exceeding three feet (3') in height are permitted in front yards. Chain link, woven wire mesh or similar materials are not considered decorative fencing.
 - D. No barbed wire or high voltage electrical fencing shall be allowed except as used for farm or ranching purposes on undeveloped land over three (3) acres in size.
 - E. Gates designed for vehicular access shall be set back from the property or right-of-way line a minimum of twenty feet (20'), and shall have gates designed to swing inward and away from the property or right-of-way line. If gates are to be of the sliding type, they shall operate (i.e., slide) fully within the property into which the gates give access, and they shall not encroach (i.e., project or slide over) any neighboring property line or street/alley right-of-way line.
 - F. Fences around swimming pools shall comply with the Standard Swimming Pool Code.
 - G. See Section 5.4.10 for sight visibility requirements.
 - H. Special purpose fencing, such as fencing around tennis courts, is permitted.