

15-4 -2. FENCES AND WALLS.

(A) **LOCATION.** Fences and retaining walls may be erected or allowed within the buildable Area, and as allowed in the Setback Exceptions in Chapter 2. Any Fence or retaining wall greater than six feet (6') in height, within the Setback Areas, requires an administrative Conditional Use permit approved by the Planning, Building and Engineering Departments, unless the Fence or retaining wall is approved as part of the Master Planned Development or Conditional Use permit. Any Fence or retaining wall greater than six feet (6') in height requires a Building Permit.

Within any required Front Yard or Street Side Yard, Fences and retaining walls shall not exceed four feet (4') in height, measured from Final Grade.

Fences and retaining walls shall not exceed six feet (6') in height measured from Final Grade within any required Rear Yard or Side Yard. Where a Fence or retaining wall occurs along a Property Line separating two (2) Lots and there is a difference in the Grade of the Properties, the Fence or retaining wall may be erected or allowed to the maximum height permitted on either side of the Property Line.

(1) **EXCEPTION.** The height of retaining walls in the Front yard may exceed four feet (4'), measured from Final Grade, subject to approval by the Planning Director and City Engineer, and may exceed six feet (6') in height subject to approval of an administrative Conditional Use permit or as approved as part of a Master Planned Development (MPD) or conditional Use permit.

The height of retaining walls in the Side or Rear Yards may exceed six feet (6'), measured from Final Grade, subject to approval of an administrative Conditional Use permit or as approved as part of a Master Planned Development (MPD) or Conditional Use permit.

(B) **RESTRICTIONS ON MATERIALS.** Chain link Fences are prohibited in all zones with the following exceptions which must be approved by the Planning Director:

(1) For recreational facilities such as tennis courts,

(2) As temporary limits of disturbance Fencing during construction as approved by the Planning Department.

(3) Chain link Fences within the required Yard Areas may be permitted in other circumstances by the Planning Director when it is found that the Fence is necessary in the interest of security or public safety, and when the Fencing needs cannot be reasonably met with any other type of Fencing.

(C) **BERMS.** Berms within the required Yard Area may be constructed no higher than six feet (6') subject to the following:

(1) Landscaping shall be incorporated into the design of the berm and shall extend its entire length.

(2) Berms shall be designed with sufficient undulation to provide visual relief and shall meander their entire length.

(3) Within Front Yard Areas berms may not be constructed to interfere with required Sight Distance and may not obstruct driver's line of sight from Streets and roads.

(Amended by Ord. Nos. 06-22; 07-25)