

Suggestions:

After reviewing codes from other municipalities it seems that the standard fence height in residential areas, on average, is 6' with anything above that requiring a permit. Since we do touch on height with regards to commercial abutting residential (allowing up to 8') perhaps under *Section 9.28.030 Standards* we add a section stating that in all areas zoned residential a maximum 6' fence or wall is allowed within the required yard except where clear vision standards are enforced. Anything above 6' needs a permit. We can include a diagram such as the one attached.

I like the idea of creating a "one-sheet" that residents can pick up that is an easily understood simplified explanation of what we want regarding fences, walls, and vegetative growth. Attached are examples. The same could be developed for other specific ordinances such as lighting.

Vegetation:

Vegetation Is Not Considered a Fence: Hedges or other plant material may provide screening similar to a fence but are not considered fences and are not regulated under the Fence Code. However, no such hedge shall be grown or maintained at a height greater than that permitted by these regulations for a wall or fence.

Materials:

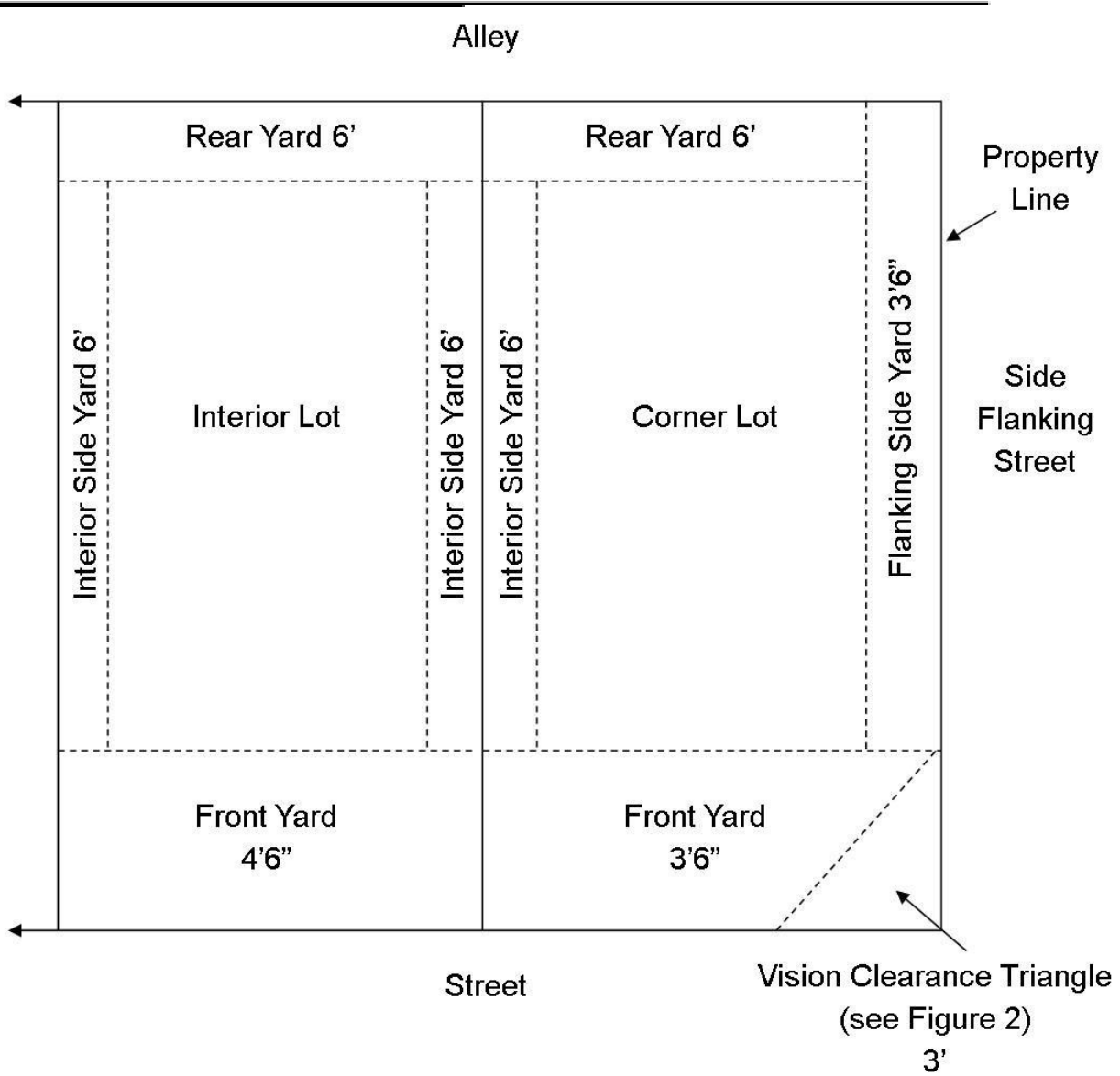
Fences must be constructed of material specifically designed and manufactured for fencing purposes. They cannot contain any material which will do bodily harm, such as electric or barbed wire, upturned barbed edging, broken glass, spikes, or any other hazardous or dangerous materials.

Posts, trellises, lattice, and any other material placed on top of the fence is considered to be part of the fence when measuring the overall height.

Maintenance:

Every fence shall be maintained in a condition of reasonable repair and not be allowed to become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation.

Figure 1. Fence, Wall and Hedge Height Limits when located in Required Yards



Yachats Code wherever the words "fence, wall, hedges" appear:

Section 9.64.010 Design standards.

No temporary or permanent obstruction (e.g., structure, fence, or shrub vegetation) between three (3) feet and eight (8) feet in height shall be placed in clear-vision areas on streets, driveways, or alleys, as shown in the Clear-Vision Area Diagram figure below. Trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight (8) feet above grade.

B. **Fences, Hedges** and **Walls**. **Fences, hedges** and **walls** may be located within required yards, but shall not exceed three (3) feet in height in any required yard which abuts and runs parallel to a street other than an alley. **Hedges** that front Highway 101 are exempt from this height requirement as long as the height does not interfere with clear vision requirements in Section [9.64.010\(A\)\(3\)](#).

Section 9.68.040 Requirement for manufactured dwelling subdivisions.

8. **Fences, Fences, walls, hedges** and landscaping shall be no greater than three (3) feet in height in the front yard or side yard of a corner lot.

Section 9.28.030 Standards.

H. **Fences, Hedges, Walls** and Landscaping. Where a commercial use abuts a residential zone, a fence, evergreen hedge, wall or landscaping shall be constructed and maintained immediately adjacent to the abutting property line. Such a buffer shall screen at least seventy (70) percent of the view between the zones. The buffer shall not be less than five (5) or more than eight (8) feet in height, except where vision clearance would be interrupted. Exceptions shall be subject to approval by the Planning Commission through a public hearing in accordance with Chapter [9.80](#) Variances.

Section 9.68.030 Manufactured dwelling parks.

1. Location and type of landscaping plantings, **fences, walls** or combination of any of these, or other screening materials

Section 5.08.090 **Fences**.

A. Barbed Wire. No owner or person in charge of property shall construct or maintain a barbed wire fence or permit barbed wire to remain as part of a fence, along a sidewalk or other public way; except such wire may be placed above the top of other fencing not less than six (6) feet, six (6) inches high.

B. Electric Fence. No owner or person in charge of property shall construct, maintain or operate an electric fence along a sidewalk or other public way or along the adjoining property line of another person. (Ord. 174 § 18, 1995)

Section 9.52.060 County Road No. 804 right-of-way.

3. For the purposes of this section, structures, alterations and development includes, but is not limited to, construction of buildings or **fences**, placement or removal of material, filling, grading, ditching and draining