Mapleton City Planning Commission Staff Report

Meeting Date: July 9, 2009

Item #: 4

Applicant: Mapleton City

Prepared by: Cory Branch

Council Action Required: Yes

Public Hearing Required: Yes

REQUEST:

Mapleton City requests to amend Title 18, Development Code; Part III; Zoning, Section 18.84.130, Fencing Standards regarding setbacks, height, and sight distance hazards to vehicular or pedestrian traffic.

FINDINGS OF FACT:

1. The proposed amendment would allow for modifications to the fencing standards regarding setbacks, height, and sight distance, etc.
2. Attachment 1 includes the proposed amendment to Mapleton City Code, Section 18.84.130, Fencing Standards.

STAFF ANALYSIS:

Staff recognizes that Section 18.84.130, Fencing Standards, is in need of a number of modifications, thus attachment 1 includes an overhaul of the entire chapter. Based on the number of changes being proposed to Section 18.84.130 staff was unable to provide a spreadsheet as done in the past to breakdown the current and proposed changes.

STAFF RECOMMENDATION:

Staff is prepared to discuss and answer any questions at the night of the Planning Commission meeting. Staff recommends approval of the proposed text to Section 18.84.130.

ATTACHMENT:

1. Proposed Text

18.84.130: FENCING STANDARDS:

The term "fence" shall include any tangible barrier, lattice work, screen, wall, hedge, or continuous growth of shrubs or trees with the purpose of, or having the effect of preventing passage or view across the fence line. [~~All fences more than three feet (3') in height must obtain a fence permit from the building inspection office. Any~~] A fence, wall, screen, hedge or other material serving as a fence, [~~shall~~] may not create a sight distance hazard to vehicular or pedestrian traffic as determined by the city engineer.

A. Front Yard/Side Yard: [~~Solid walls, fences, hedges or screening~~] A fence made of materials which are sight obscuring may be built to a maximum of [~~two feet eight inches (2'8")~~] three feet in any required front/side yard perimeter. [~~Walls, fences, hedges or screening~~] A fence made of materials which are not sight obscuring (at least 50 percent open) may be built to a maximum of four feet [~~(4')~~] in [~~a~~] any required front/side yard. If an existing home is located on the property the front/side yard perimeter is measured from the front property line to the front edge of the existing home. Such fencing may slope upward to connect with a higher rear yard fence. The length of a sloped fence section shall not exceed a maximum of ten feet.

~~B. [Side Yard: Solid, sight obscuring fences or walls may be built to a maximum of [two feet eight inches (2'8")] but may slope upward to connect with a higher rear yard fence. The sloped length may not exceed one section or a maximum of ten feet (10').~~

[~~C~~] B. Rear Yard: [~~Walls and fences~~] A fence in a rear yard may be built to a maximum of [~~exceed six feet (6') provided that a building permit is first obtained from the building inspection office prior to construction~~] six feet. If an existing home is located on the property the rear yard perimeter is measured from the front edge of the existing home to the rear property line.

[~~D~~] C. Corner Lots: A fence not more than six feet [~~(6')~~] high may be constructed in the rear yard as defined in subsection B, "Rear Yard", of this section adjacent to a public street on a corner lot,

[~~provided~~] if it does not [~~extend into the required thirty foot (30') side yard setback more than ten feet (10') or~~]obstruct clear view of intersecting streets as defined in subsection E, "Clear Sight Triangle", of this section.

[~~E~~] D. Clear Sight Triangle: At intersections of alleys and driveways (this includes private driveways and adjacent private driveways) [~~and local streets~~] the triangle shall be defined by drawing a line between two (2) points that are a minimum of [~~thirty feet (30')~~] fifteen feet from the intersection along the [~~lot lines (along alleys) or thirty feet (30') from the intersection along the lot line and outer edge of the driveway~~] property lines. Larger clear vision triangles may be required if the city engineer determines that the fence will create a sight distance hazard to vehicular or pedestrian traffic.

~~[F. Larger Clear Site Triangle: Larger clear vision triangles may be required where local streets enter arterial streets, major collector streets, or parkways, except that "clear vision triangles" need not be maintained at signed or signalized intersections in the community center. "Clear vision triangles" may also be waived at signed or signalized intersections in neighborhood centers.]~~

[~~G~~] E. Grade Differences: Where there is a difference in the grade of the properties on either side of a fence, wall or other similar structure, the height of the fence shall be measured from the natural grade of the property upon which it is located.

[~~H~~] F. Retaining Walls: Where a retaining wall protects a cut below or a fill above the natural grade and is located on the line separating lots or properties, such retaining wall may be topped by a fence, wall or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed.

[~~I~~] G. Double Frontage Lots: A fence or wall may be erected in the rear yard of a double frontage lot [~~subject to staff review~~].

[~~J. Entryways: Entry treatments to private driveways or subdivision development entrances shall not exceed six feet (6') at the highest point, except lamps on pillars, and must comply with the provisions of title 17 of this code. Pillars shall be allowed to extend up to eighteen inches (18") above the allowable height of a fence provided that the pillars shall have a minimum spacing of no less than six feet (6'), measured face to face.~~]

[~~K~~] H. Fire Hydrants: Fire hydrants shall be accessible from the public streets and [~~shall~~] may not be enclosed behind fences. ~~Reference: The Uniform Fire Code, Section 1001.7.2 Clear Space Around Hydrants, "A 3-foot (914.4 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved".~~

[~~L. Agricultural Fence: "Agricultural fence" means a wire fence, for example electrical or barbed wire, constructed to enclose agricultural uses and/or animal stock permitted in the A-2 zone and RA-2 zone within the community. The minimum height is five feet (5') with not less than four (4) horizontal barriers, except for electric fences, with posts set not more than ten feet (10') apart. The lower barrier must not be more than twelve inches (12") from the ground and the space between any two (2) barriers must not exceed twelve inches (12"). Every post must be set to withstand a horizontal strain of two hundred fifty (250) pounds at a point four feet (4') from the ground, and each barrier must be capable of withstanding a horizontal strain of two hundred fifty (250) pounds at any point midway between posts. Such posts are required along and adjacent to any side, front, or rear property line bordering the entire facility. An agricultural fence is not regulated by other provisions of this title.~~]

[~~M~~] I. Exceptions: The provisions of this section shall not apply to certain other fences [~~such as~~] including tennis court backstops or patio enclosures as approved by the planning commission, if it is determined that [~~such do~~] the fences do not create a hazard or violation of other sections of the city ordinances. (Ord. 2002-09, 7-3-2002)