

## **DIVISION 9. - BERMS, WALLS AND FENCES**

### **Sec. 86-496. - Berms, retaining walls and slopes.**

All berms, retaining walls and slopes shall conform to the following standards:

- (1) Earth berms may be located in required yards and shall not exceed a grade of one foot of rise in three feet of length.
- (2) Within all residential zoning districts, retaining walls are prohibited within required yards, except that seawalls are permitted in waterfront yards.
- (3) Within all residential zoning districts, the grade of slope in any required yard shall not exceed one foot of rise in four feet of length.
- (4) Within all nonresidential zoning districts, the use, design and configuration of berms, retaining walls and slopes shall be as determined and approved by the city during site and development plan review.

(Ord. No. 2003-32, § 3, 10-28-03)

### **Sec. 86-497. - Fences, walls and hedges.**

- (a) Fences, walls and hedges. Fences, walls and hedges are exempt from setback requirements except that in residential districts, fences and walls are limited to six feet in height from the existing ground elevation in the required side and rear yards.
- (b) In the required front yards of all residential districts, open fences (those allowing the free flow of light and air) are limited to six feet in height and solid fences are limited to three feet in height from the existing ground elevation for all uses except infant care centers. In the case of lots with multiple street frontage, only the street address frontage is subject to this limitation.
- (c) For infant care centers, the solid portion of fences and walls shall be four feet in height.
- (d) Walls and fences may be combined, provided not more than three feet of the height of the structure may be solid and the remainder shall be open fence work.
- (e) Where fences are erected, solid support columns not more than 16 inches in width or not less than eight-foot centers shall be allowed up to six feet in height and such columns may be topped with decorative elements such as balls, vases and the like up to a total height of seven feet.
- (f) Open fences include wood or metal picket, wrought iron or similar designs with a solid to open ratio of not more than 1:4.
- (g) Chain link, chicken wire, hardware cloth and other woven or mesh products are not permitted in required front yards in any district.
- (h) All fences, walls and hedges are subject to the provisions of section 86-439 regarding visibility at intersections.
- (i) In all residential districts, fences and walls shall be finished with paint or stain and those constructed of block or cement shall include a cementitious finish and color consistent with the principal residence.
- (j) Where property zoned residential has a rear utility easement, no new fences or replacement for existing fences, walls or hedges shall be permitted within such easement unless a three-foot wide access (with or without gate) is provided to allow utility personnel to pass along said easement from property to property.

(Code 1982, § 20-7.5; Ord. No. 97-40, § 4, 6-24-97; Ord. No. 97-58, § 1, 11-25-97; Ord. No. 2003-32, § 3, 10-28-03)

Secs. 86-498—86-499. - Reserved.