

## 16.11.135: REQUIREMENTS FOR FENCES AND WALLS:

(1) Setback Area Defined: The term "front setback area" for the purpose of this title shall refer to the setback area (as required by this title) along any street frontage.

### (2) Interior Lot Requirements:

(a) A wall or fence not to exceed six feet (6') in height measured from finish grade, may be erected along side and rear property lines, except within the front setback area.

(b) Within the front setback area, no wall, fence or hedge shall exceed three feet six inches (3'6").

(c) A fence, wall or retaining wall located on an interior property line separating two (2) residential lots with differing elevations, the maximum height of the fence, wall, or retaining wall shall not exceed six feet (6') above grade on either side of the fence, wall or retaining wall unless: 1) the property owners adjoining the fence, wall or retaining wall agree in writing to a greater height; or 2) a retaining wall is placed against a cut area to retain the natural grade, in which case the fence, wall, and retaining wall combined shall not exceed nine feet (9') in height unless first approved by the planning commission. Fences may not be bermed for the purpose of increasing the allowable height.

### (3) Corner Lots:

#### (a) Requirements:

(i) On all corner lots, a fence or wall not to exceed six feet (6') in height may be erected along the rear and interior side lot line, but a fence or wall shall not be erected in the front yard or street side yard setback areas to a height in excess of three feet six inches (3'6").

(ii) In all zones requiring a front yard setback, no obstruction in excess of three feet six inches (3'6") in height shall be placed on any corner lot within the triangular area formed by the property lines adjacent to the streets and a line connecting them at points thirty feet (30') from the intersection of the property lines.

#### (b) Exceptions To Corner Lot Requirements:

(i) In a side yard setback that fronts on a public street, a wall or fence height of up to six feet (6') is allowed provided such wall or fence is a minimum of ten feet (10') behind the front building line and provided that such wall or fence is set back at least ten feet (10') from the sidewalk or ten feet (10') from the property line where no sidewalk exists.

(ii) A fence, which does not obstruct view (e.g., chainlink fence) may be erected to a height of five feet (5') in any yard abutting a street within the setback area. The fence shall in no way be closed in with adjacent plant materials, or strips of material inserted into the fence to obstruct vision.

### (4) Front Yard Courtyard Walls

**Definition:** A walled area within the front yard which is open to the sky for use as a private, outdoor patio.

#### (a) Front Yard setbacks

(i) Courtyard walls located in the front yard shall be located not less than 10' from the back of the sidewalk or 10' from the property line where no sidewalk exists.

(ii) Courtyard walls located in the front yard in controlled access developments (gated developments) shall be located not less than 5' from the back of the sidewalk or 5' from the property line where not sidewalk exists.

(b) Side Yard setbacks

(i) Courtyard walls shall be located not less than 7'6" from the side yard property line.

(ii) Courtyard walls located in the front yard in controlled access developments (gated developments) may be located on the side yard property line.

(c) Height

(i) Front Yard Facing Courtyard walls located 10' – 15' from the front property line shall not exceed 4' 6" excepting undulating walls (Entrada type walls) may have a 50% of the wall at 5' maximum height.

(ii) Side Yard Facing Courtyard wall located 15' or greater from the front property line shall not exceed 5'6".

(iii) Courtyard walls located in the front yard in controlled access developments (gated developments) shall not exceed 6'.

(d) Columns

(i) Courtyard wall columns shall be no higher than 12" above the immediately adjacent courtyard wall but shall not exceed 6'.

(e) Entrance Archway

(i) A maximum of one (1) courtyard entrance archway is allowed. Entrance Archways shall be located in side yard facing courtyard walls only, with a minimum 15' setback from the front property line and shall not exceed 10' in height,

(f) Permit and Plans Required

(i) Front yard courtyards shall require a building permit with the following plans:

(a) A plot plan showing all property lines, structures, setbacks,

(b) Front and side design elevations of courtyard incorporating primary residence.

(g) Additional Requirements

(i) Front yard areas outside the courtyard wall shall be landscaped.

(ii) Courtyard design, color, and materials shall compliment and blend with the primary residence.

(iii) Front yard courtyards shall comply with 16.11.117 "Clear View At Driveways"

(4 5) Tennis/Sports Court: On side and rear property lines, an appropriately colored chainlink fence may be erected to a height of twelve feet (12') for the purpose of enclosing a tennis court or other sports court area. Said fence may not be located within the required setback area of required front or street facing side yards.

(56) Swimming Pools:

(a) A fence not less than four feet six inches (4'6") shall be erected around all private swimming pools, hot tubs, or other similar pools not otherwise enclosed (or covered for hot tubs).

(b) A fence not less than six feet (6') shall be erected around all public or commercial swimming pools.

(67) Fences On Public Right Of Way: No fence approved under this chapter shall be erected beyond the property line or on the public right of way, without the issuance of a special permit by the city.

(a) No fence shall be erected within one foot (1') of an existing or future sidewalk.

(b) No fence shall be erected within a four foot (4') radius of a fire hydrant.

(c) The city shall retain the right to remove any fence on the public right of way for any purpose it deems necessary. Removal shall be at the sole expense of the property owner.

(78) Fences Required In Certain Areas: In all commercial, industrial, or multi-family zones having a common lot line with single-family residential zones a six foot (6') high solid masonry or similar fence shall be required (reduced to 3 feet in height inside the front yard setback area).

(89) Fencing And Wall Materials: It is the intent of this subsection to identify wall and fence materials that are preapproved or prohibited or that may be approved as part of a land use application approval.

(a) The following types of materials may be allowed for use in wall and fence installations adjacent to all major and minor arterial and collector streets including, but not limited to, Snow Canyon Parkway, Highway 91, 400 East, 200 East, 400 South, 400 West, Tuacahn Drive, and Snow Canyon Drive:

(i) Native stone.

(ii) Textured block or stucco surfaced walls compatible with adjacent buildings.

(iii) Wrought iron.

(iv) Colored concrete block.

(v) Other materials consistent with the materials specifically listed.

(b) The following types of materials may be allowed for use in wall and fence installations on other public and private streets:

- (i) Native stone.
- (ii) Wood.
- (iii) Textured block or stucco surfaced walls compatible with adjacent buildings.
- (iv) Wrought iron.
- (v) Colored concrete block.
- (vi) Chainlink with interlaced vegetation.
- (vii) Other materials consistent with the materials specifically listed.

(c) The following types of materials are prohibited for use in wall and fence installations:

- (i) Used materials.
- (ii) Corrugated metal.
- (iii) Barbed wire (except in the agriculture and residential agriculture districts).
- (iv) Plywood and wafer weld.
- (v) Wood pallets.
- (vi) Lightweight trellis materials.
- (vii) Bright colored plastic (except white).
- (viii) Unfinished concrete, excepting retaining walls.
- (ix) Untextured concrete.
- (x) Other materials not manufactured for or typically used for fences or walls.

(910) Compatible Design: All walls and fences shall be compatible with the surrounding landscape and the architecture and building materials of buildings on and adjacent to the property.

(4011) Quality Of Construction: All walls and fences shall be constructed in a workmanlike manner according to industry standards.

(4412) Maintenance Of Fences And Walls: All fences and walls shall be maintained in good repair. Areas adjacent to the wall or fence shall be maintained by the property owner.

(4213) Retaining Walls Used In Association With Fences: Retaining walls used in association with any fence shall be constructed of materials, or be finished to blend the wall with the surrounding landscape colors and features. All exposed portions of any retaining wall(s) shall be constructed using decorative materials or finished in such a way that no untreated concrete, concrete block or similar materials are visible. (Ord. 2006-32, 2006)

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