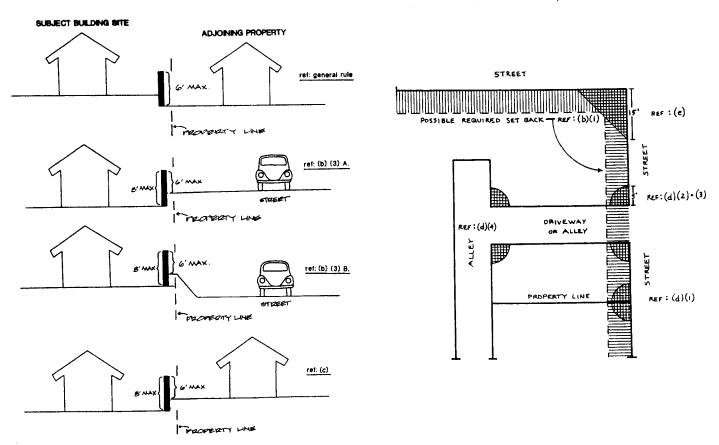
## Sec. 7-9-137.5. Fences and walls.

For purposes of this section, "fences and walls" include any type of fence, wall, retaining wall, sound attenuation wall, or screen. Fences/walls shall be in compliance with the following regulations. However, walls that are located within the interior of an approved tract map and are part of the initial development of that tract map shall be exempt from these regulations. Subsections "(d)" and "(e)" only shall also apply to hedges, or thick growth of shrubs, bushes or trees. Fence/wall heights shall be measured from the base of the fence/wall to the top on interior or exterior side, whichever is greater. See fence/wall heights illustration.

## Permitted Fence/Wall Heights

Sec. 7-9-137.5



## OCCO 7-9-137.5 Fences and walls:

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- (a) Main building area: In the area where a main building may be constructed, the district building height regulations apply.
- (b) Setback areas bordering streets.
- (1) The maximum height shall be three and one-half (3 1/2) feet within any required front setback area and six (6) feet within any rear or side setback area (through which no vehicular access is taken) adjoining a street, up to a maximum depth of twenty (20) feet.
- (2) That portion of a building site where vehicular access rights have been dedicated to a public agency may have a six (6) feet high fence/wall.
- (3) Fences/walls for County required sound attenuation which border freeways or major arterial highways may be six (6) feet high and as high as eight (8) feet if:
- a. The freeway/major arterial is elevated two (2) feet or more above the building site elevation, or
- The exterior side measurement of the wall is not more than six (6) feet in height.
- (c) Setback areas not bordering streets. The maximum height shall be six (6) feet within any required front, rear, or side setback area not adjoining a street. However, where the elevation of an adjoining building site to the side or rear is higher than the base of the fence or wall in the side or rear setback area, the height of the fence or wall may be measured from the elevation of the adjoining building site to the top of the fence or wall. However, in no case shall such a fence or wall exceed eight (8) feet from the base of the fence/wall to the top.
- (d) Access intersection area: Notwithstanding "b" above, the maximum height shall be three and one-half (3 1/2) feet within five (5) feet of the point of intersection of:
- An ultimate street right-of-way line and an interior property line;
- (2) An ultimate street right-of-way line and the edge of a driveway or vehicular accessway;
- (3) An ultimate street right-of-way line and an alley right-of-way line; and
- (4) The edge of a driveway or vehicular accessway and an alley right-of-way line.
- (e) Street intersection areas: Notwithstanding "b" above, the maximum height shall be three and one-half (3 1/2) feet within the triangular area formed by drawing a straight line between two (2) points located on, and fifteen (15) feet distant from, the point of intersection of two (2) ultimate street or highway right-of-way lines extended.
- (f) Modifications permitted: Exceptions and modifications to the fence and wall height provisions may be permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150. In addition to the findings required by section 7-9-150, the following findings shall also be made prior to the approval of a fence or wall height use permit application:
- (1) The height and location of the fence or wall as proposed will not result in or create a traffic hazard.
- (2) The location, size, design and other characteristics of the fence or wall will not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.

(Code 1961, § 78.0267.4; Ord. No. 3219, § 17, 10-1-80; Ord. No. 3306, § 35, 1-13-82; Ord. No. 3478, § 49, 8-22-84; Ord. No. 3489, § 1, 10-2-84; Ord. No. 3524, § 32, 5-8-85; Ord. No. 3560, § 14, 12-17-85; Ord. No. 3754, § 81, 5-16-89; Ord. No. 3887, § 19, 3-23-93; Ord. No. 3981, § 5, 4-22-97; Ord. No. 05-005, § 1, 4-26-05)