



Workshop Industrial/Commercial Fence Standards Code Amendment

We have had a request to consider a code amendment to the Commercial & Industrial Fence standards to allow for a 6' high fence in the front yard. Prior to processing a formal application for a code amendment, I wanted to workshop this concept with the Planning Commission to get your input on this topic.

Currently, a 4' high fence is allowed in the front yard (within front setback) or a 6' high fence is permitted behind the front yard setback (Industrial front setback - 20'). The request to change the standard is based on the belief that industrial property owners are losing valuable land within the 20' setback area that could be used for storage, processing, parking, or some other ancillary type of use, and a 4' high fence is inadequate in securing their property.

The existing code language is as follows:

§17.30.120 Fences and Walls – Commercial & Industrial Standards

- A. Front Yards.
Fences and walls are allowed in the front yard provided they do not exceed a maximum height of four (4) feet.
- B. Side and Rear Yards.
Fences and wall are allowed in the side and rear yard provided they do not exceed a maximum height of eight (8) feet.
- C. Corner Lots.
 - 1. Any fence or wall within the front yard shall not exceed four (4) feet in height.
 - 2. In the side yard fronting on a street, a fence or wall located within the side setback is permitted provided the fence or wall does not exceed a maximum height of six (6) feet, shall be located outside of the minimum 40 foot sight distance triangle and is located behind the front plane of the building.
- D. Lots with Multiple Frontages.
 - 1. Any fence or wall within the rear yard setback shall not exceed six (6) feet in height. Fences or walls outside of the rear yard setback and outside the 40 foot sight distance triangle shall not exceed eight (8) feet in height.
 - 2. The yard area located between the fence and public sidewalk shall be landscaped and maintained by the property owner.
- E. Fence Posts, Gate Posts, Pillars, and Support Columns.
Such structures may extend 12 inches above the maximum fence height when separated by at least six (6) linear feet of fencing.
- F. Measurement of Fence Height.
The fence height shall be measured from the highest existing grade within a ten (10) foot radius of the proposed fence location. It is prohibited to build grade up to a higher level to increase the height of a fence.
- G. Measurement of Fence Height on top of a retaining wall.
The combined height of a fence and a retaining wall shall not exceed ten (10) feet in height as measured from the bottom of the wall (6 feet max fence height and 4 feet max retaining wall height).
- H. Prohibited Fences.
 - 1. Razor wire;
 - 2. Electrically charged fencing, unless associated with an agricultural operation;

3. Highly reflective or metallic fencing or wall materials;
4. Tarps, stacked debris or similar materials are not permitted as fencing or wall material; or
5. No fences are allowed within 15' of the top of canal bank unless written approval is granted by the canal company.

Here are some challenges with modifying the fencing standard to allow a 6' high instead of a 4' high fence in the front yard of the industrial zone, with the purpose of allowing for additional storage, parking, etc.

First, outdoor storage in the front yard is only permitted up to the front setback line and not all the way out to the street (17.62).

“**Storage (Outdoor)**” means the use of open areas of the lot (except the front yard) for storage of items used for non-retail or industrial trade, merchandise inventory, bulk materials such as sand, gravel, building materials, and landscaping materials. Outdoor storage shall also include contractors' yards or recycling areas.

Second, parking in the industrial zone is only permitted behind the front setback line and not all the way out to the street (17.31.150).

Third, the front yard, regardless of fence height and/or location, is required to be landscaped (17.32.040 & 17.32.070).

Regardless of fence height and/or fence location in the front yard in the industrial zone, the area in question (area between front property line and 20' setback line), is not permitted for outdoor storage, is not permitted for parking, and is required to be landscaped. In addition to these practical code considerations, there is also the overall aesthetic consideration of the Industrial Code language. The intent behind these regulations is to encourage a beautification of commercial and industrial areas (see intent language below):

17.10.130: Industrial (I) Development Standards

The Industrial (I) designation supports employment and production uses with related offices, services, and storage. Industrial developments will have large, well-designed buildings and attractive landscaping particularly where viewed from public roads. Adjacent uses will be buffered from potential negative impacts (yard storage, heavy equipment, noise, lights) through careful site planning, screening, landscaping, and building design. Industrial areas are not intended for residential development.

One alternative is to modify the standard to allow for a 6' high fence at 10' and require landscaping, but the problem with this is that the code already requires the landscaping and still limits the use of the property. Changing the fence standards requires the other standards to be amended as well. Before we put a lot of time and energy into this, I wanted to get your opinions on this matter.

Any questions, please let me know.